U.S. Department
of Transportation

**Research and
Special Programs
Administration**

OCT 24 1997

400 Seventh Street, S.W.
Washington, D.C. 20590

DOT-E 11969

EXPIRATION DATE: **January 31, 1998**

1. GRANTEE: Advanced Environmental Technical Services (AETS) Flanders, NJ

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time shipment of 30 non-authorized DOT specification cylinders containing anhydrous ammonia, for disposal. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.304(a)(2), in that a non-authorized DOT specification packaging is authorized.

5. BASIS: This emergency exemption is based on the application of AETS dated September 23, 1997, submitted in accordance with 49 CFR 107.117 and a determination that it is necessary in order to protect life and property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Ammonia, anhydrous, liquefied	2.2	UN1005	n/a

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are 30 DOT specification 4BA cylinders which contain anhydrous ammonia.

b. Each cylinder will be shipped in an open-head drum with the lid removed; the cylinders will be surrounded by several inches of non-reactive cushioning material such as vermiculite.

c. Transportation of the cylinders is authorized from the AETS facility located in Menomonee Falls, Wisconsin, to a hazardous waste treatment facility in Clarence, New York for disposal.

d. Transportation of the cylinders will be by private carrier only. During transportation, the packages will be monitored every 2 hours for leaks.

e. Each cylinder must be equipped with a valve plug.

8. SPECIAL PROVISIONS: Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard the motor vehicle used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- Registration required by 49 CFR 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in 49 CFR 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by 49 CFR 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

OCT 24 1997

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

OCT 24 1997

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

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U.S. Department
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**Research and
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400 Seventh Street, S.W.
Washington, D.C. 20590

JUN 5 1998

DOT-E 11970

EXPIRATION DATE: May 15, 2000

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Exxon Chemical, Inc.
Baytown, Texas

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain pyrophoric solids in a non-DOT specification portable tank comparable to a specification DOT 51 portable tank. This exemption provides no relief from any regulation other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.242 in that a non-DOT specification portable tank is authorized; § 178.245-1(c) in that all openings are not grouped in one location; and § 178.245-1(d)(4) in that the tank is not in a full framework for containerization and to allow a bottom discharge opening with no internal stop-valve.

5. BASIS: This exemption is based on the application of Exxon Chemical, Inc., dated September 30, 1997, and supplemental information dated October 21, 1997 and May 13, 1998, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Pyrophoric solid, inorganic, n.o.s.	4.2	UN3200	I

For the N.O.S entry above, the requirements of 49 CFR 172.203(k) must be met.

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging is a non-DOT specification steel portable tank conforming to the configuration and dimensions shown in Buckeye Boiler Drawing No. 83-0110 Rev. 3 dated 2/94 on file with the Office of Hazardous Materials Exemptions and Approvals. The portable tank has:

- a minimum wall thickness of 6.35 mm;
- maximum allowable working pressure of 110 psig;
- capacity not to exceed 2047 liters (540 gallons);
- tare mass of 1360 kgs;
- cone-shaped funnel bottom with a ball valve;
- maximum loading or discharge pressure of 75 psig; and
- spring loaded pressure relief valve set at 110 psig.

In addition, the portable tank must conform with specification DOT 51 (49 CFR 178.245), except as follows:

1. § 178.245-1(c). The tank has a bottom discharge fitted with a ball valve in addition to opening on the top of the tank.

2. § 178.245-1(d)(4). The portable tank is not mounted in a full framework for containerized transport and the bottom discharge is not fitted with an internal self-closing stop-valve.

3. § 178.245-7(a). The line on the name plate which reads "DOT specification No." must be marked "DOT-E 11970".

b. TESTING - Each portable tank must tested and retested and reinspected as required for a DOT 51 portable tank. Minimum test pressure is 165 psig.

c. OPERATIONAL CONTROLS -

i. The 1" bottom ball valve must be plugged and protected from side impact during transportation.

ii. A dry nitrogen blanket of 22 psig must be provided for transportation of pyrophoric solid material.

8. SPECIAL PROVISIONS:

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- Registration required by 49 CFR 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in 49 CFR 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by 49 CFR 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

JUN 5 1998

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

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