NOV 17 2000

U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

DOT-E 12351

EXPIRATION DATE: October 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Nalco/Exxon Energy Chemicals, L.P.
Freeport, TX

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the use of a video camera and monitor to observe the loading operations of hazardous materials from a remote control station in place of personnel remaining within 7.62 meters (25 feet) of the cargo tank motor vehicles. This exemption provides no relief from any Hazardous Materials Regulation (HMR) 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.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 177.834(i)(3) in that a person is not required to be within 25 feet of the cargo tank during loading operations.

5. BASIS: This exemption is based on the application of Nalco/Exxon Energy Chemicals dated September 9, 1999, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Flammable liquids, n.o.s. and other materials classified as flammable liquids	3	As appro-priate	II, III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The hazardous material described in paragraph 6 must be transported in authorized DOT specification cargo tank motor vehicles.

b. OPERATIONAL CONTROLS -

(1) Each cargo tank must be loaded by qualified persons, who are familiar with the product and with the proper procedures for its safe handling.

(2) The provisions of § 177.834 (i) must be complied with except that paragraph (3) is replaced with the following:

A designated Production Operator must observe all loading operations by means of a video monitor located in the Control Room. Each loading system must be equipped with the following:

(i) The video camera must be capable of panning and zooming from the remote control station. The camera must be mounted so as to provide an unobstructed view of all equipment involved in loading operations of the cargo tank motor vehicles. This will include valves, hoses, domes, and safety relief devices. In addition, the view capability must include the containment area.

(ii) Upon loss of video, loading operations must be immediately terminated. Shut-off valves operable from the Control Room must be provided.

(iii) In the event of a remote system failure, the Production Operator must immediately resume attending loading operations from within 7.62 meters (25-feet) of the cargo tank.

(iv) A containment area must be provided capable of holding the contents of as many cargo tank motor vehicles as might be loaded at the facility at any single time.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be conspicuously displayed in the Control Room at this facility.

b. The Production Operator must visually inspect each cargo tank motor vehicle after it is loaded, prior to departure, in accordance with facility policy.

c. Each Production Operator must comply with the standard operating and training procedures, and the procedures for inspection and maintenance of video equipment and of the shut-off valve/remote control system as described in the Nalco/Exxon application, on file with the Office of Hazardous Materials Exemptions and Approvals. Nalco/Exxon Energy Chemicals, L.P. must maintain a list of qualified Production Operators. A copy of this list must be available for inspection during normal working hours.

d. This exemption applies only to the Nalco/Exxon Energy Chemicals, L.P. plant site at Freeport, Texas.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: None other than as required by the HMR.

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. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 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 §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this 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. (Sections 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 incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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(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.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: rek