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

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

DOT-E 7259 (EXTENSION)
FIFTH REVISION August 20, 1992

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 7259 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to June 30, 1996. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.105. This extension constitutes a necessary part of this exemption and must be attached to it.

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

OCT 31 1994
(DATE)

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
FMC Corporation Philadelphia, PA	June 16, 1994
Rhone-Poulenc Basic Chemicals Company Shelton, CT	June 22, 1994
Exxon Chemical Americas Houston, TX	July 15, 1994
Monsanto Chemical Company St. Louis, MO	September 29, 1994

CONTINUATION OF DOT-E 7259 (EXTENSION)

ADVISORY

IF YOU ARE A HOLDER OF AN EXEMPTION THAT AUTHORIZES THE USE OF A PACKAGING WITH A MAXIMUM CAPACITY LESS THAN 450 L (119 GALLONS) OR A MAXIMUM NET MASS LESS THAN 400 KG (882 POUNDS), PLEASE BE ADVISED THAT YOUR EXEMPTION MAY NOT BE RENEWED BEYOND SEPTEMBER 30, 1996. IN ADDITION, NO NEW CONSTRUCTION OF PACKAGINGS WHICH FALL WITHIN THE NON-BULK CAPACITIES LISTED ABOVE ARE AUTHORIZED AFTER SEPTEMBER 30, 1994. THIS IS CONSISTENT WITH THE IMPLEMENTATION OF THE NEW PACKAGING REQUIREMENTS ADOPTED UNDER DOCKET HM-181. ANY APPLICATION SUBMITTED TO THIS OFFICE TO RENEW AN EXEMPTION BEYOND THE SEPTEMBER 30, 1996 DATE WILL BE DENIED UNLESS THE APPLICATION CONTAINS SUPPORTING INFORMATION TO JUSTIFY THE CONTINUATION OF THE EXEMPTION.

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

AUG 2 0 1992

DOT-E 7259
(FIFTH REVISION)

1. Rhone-Poulenc Basic Chemicals Co., Shelton, CT, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of the hazardous materials described herein of a flammable solid for transportation in commerce, subject to the limitations and special requirements specified herein. This exemption authorizes the use of DOT specification and non-DOT specification portable tanks constructed of aluminum, for shipment of phosphorus pentasulfide, and provides no relief from any regulation other than as specifically stated. Each of the following is hereby granted the status of a party to this exemption:

Exxon Chemical America, Houston, TX - PTE-1.
Monsanto Chemical Company, St. Louis, MO - PTE-2.
FMC Corporation, Philadelphia, PA - PTE-3.

2. BASIS. This exemption is based on Rhone-Poulenc Basic Chemicals Company's application dated November 1, 1991, submitted in accordance with 49 CFR 107.105. The granting of party status is based on the following applications submitted in accordance with 49 CFR 107.111, and the public proceeding thereon.

Exxon Chemical America's application dated November 12, 1991.
Monsanto Chemical Company's application dated November 1, 1991 and June 29, 1992 and additional information dated July 21, 1992.
FMC Corporation's application dated October 15, 1991.

3. HAZARDOUS MATERIALS (Descriptor and class). Phosphorus pentasulfide, Class 4.3 UN1340.

4. PROPER SHIPPING NAME (49 CFR 172.101). Phosphorus pentasulfide.

5. REGULATION AFFECTED. 49 CFR 176.76(g)(5), 178.251-7 and 178.252-1(b).

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight and cargo vessel.

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed are DOT Specification 56 portable tanks fabricated of aluminum with a maximum gross weight of 7700 pounds per tank or non-DOT specification portable tanks fabricated of aluminum which conform to the requirements of DOT Specification 56 except for a maximum gross weight of 8200 pounds.

b. Shipments by vessel must be made in conformance with Section 26 of the General Introduction to the International Maritime Dangerous Goods (IMDG) Code and the portable tanks must be packed and properly blocked and braced in freight containers.

8. SPECIAL PROVISIONS.

a. A copy of this exemption must be carried aboard each motor vehicle and cargo vessel used to transport packages covered by this exemption.

b. Persons who receive packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the package, 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.

c. Each portable tank must be plainly marked on two sides near the top, in letters at least two inches high on a contrasting background, "DOT-E 7259".

d. Prior to the first shipment, persons who offer portable tanks which exceed a gross weight of 7700 pounds under this exemption must first have filed appropriate test performance data with the Office of Hazardous Materials Exemptions and Approvals.

e. Shipment by rail must be in box cars except that COFC or TOFC service is authorized in accordance with 49 CFR 174.61.

f. Each portable tank must be permanently and durably marked, in accordance with the requirements of §172.331, in letters at least two inches high on a contrasting background. In addition, for shipments by vessel, the marking requirements of subsection 26.1.5 of the General Introduction to the IMDG Code are required.

9. REPORTING REQUIREMENTS. Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.)

10. EXPIRATION DATE. October 31, 1993.

Issued at Washington, D.C.:

AUG 2 0 1992

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: Exemptions Program.

Dist: FHWA, FRA, USCG.