U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 9828 (EXTENSION)
FIRST REVISION March 13, 1993

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 9828 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to September 30, 1994. 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

SEP 13 1993
(DATE)

Dist: FHWA FRA

EXEMPTION HOLDER	APPLICATION DATE
Miles Inc. Kansas City, MO	July 9, 1993

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

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

DOT-E 9828
(SECOND REVISION)

NOV 18 1994

1. Mobay Corporation, Kansas City, Missouri, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of certain Division 6.1 material for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the shipment of Organophosphorus pesticide, solid, toxic, n.o.s., classed as Division 6.1 in inside lined chipboard cartons, packed no more than four to a DOT-12B65 corrugated fiberboard box, and provides no relief from any regulation other than as specifically stated. **NOTE: Reference to 49 CFR Sections in this exemption are to regulations in effect on September 30, 1991.**

2. BASIS. This exemption is based on Mobay Corporation's application dated August 1, 1994, submitted in accordance with 49 CFR 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class). Azinphos methyl mixture, solid, and Guthion 35% wettable powder, classed as Division 6.1.

4. PROPER SHIPPING NAME (49 CFR 172.101). Organophosphorus pesticide, solid, toxic, n.o.s.

5. REGULATION AFFECTED. 49 CFR 173.365(a)(7).

6. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a DOT specification 12B65 corrugated fiberboard box (constructed of 275-pound test B/C double wall corrugated fiberboard) with inside lined chipboard cartons not over seven pounds net weight each, packed no more than four to a box. Total net weight per outer box must not exceed 28 pounds. Inside lined cartons must be of at least 0.037-inch thickness and may be shipped with or without inside water-soluble PVA packets. No more than five water-soluble packets weighing 1.4 pounds each may be shipped in each chipboard carton.

The individual inside cartons, as well as the completed outer box, prepared as for shipment, must be capable of withstanding a free-fall drop of four feet onto solid concrete without breakage of the box or any sifting of contents.

8. SPECIAL PROVISIONS.

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modification 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. **No new construction of the packaging identified in Paragraph 7 of this exemption is authorized after September 30, 1994. As the holder of this exemption, you may request a renewal to continue the use of the packaging, manufactured prior to September 30, 1994, however, the exemption will not carry an expiration date subsequent to September 30, 1996 since use of the packaging is prohibited after that date. This is consistent with the transitional provisions of 49 CFR Section 171.14 and the implementation of the new packaging requirements adopted under Docket HM-181.**

9. 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.

10. EXPIRATION DATE. September 30, 1996.

Issued at Washington, D.C.:

NOV 18 1994

(DATE)

Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

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

Dist: FHWA, FRA

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.