U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 24 1996

DOT-E 6418
(SIXTH REVISION)

1. Dow Chemical Co., Midland, MI., is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of Class B poisonous liquids for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes use of DOT Specification MC-303, MC-304, MC-306, MC-307, MC-310 or MC-312 steel cargo tanks, 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. The following is hereby granted the status of a party to this exemption:

DowElanco, Indianapolis, IN. - PTE-1
Western Farm Service, Inc., Walnut Creek, Ca. - PTE-2.
Wilbur-Ellis Company, Fresno, CA - PTE-3.
J.R. Simplot Company, Pocatello, ID - PTE-4.
Quincy Farm Chemicals, Inc., Quincy, WA - PTE-5.
Farmer's Supply Co-operative, Inc., Ontario, OR - PTE-6.
Cenex/Land O'Lake Ag Services, Vancouver, WA - PTE-7.
Nexus Ag Chemicals, Inc., Quincy, WA - PTE-8.
The McGregor Company, Colfax, WA - PTE-9.
Tri-River Chemical Co., Inc., Pasco, WA - PTE-10.
Crop Protection Services, Inc., Pasco, WA - PTE-11.

2. BASIS. This exemption is based on the Dow Chemical Company's application dated May 7, 1993, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon. The granting of party status is based on the following applications submitted in accordance with 49 CFR 107.111 and 107.105 and the public proceeding thereon:

DowElanco's application dated April 28, 1993.
Western Farm Service, Inc.'s application dated May 19, 1993.
Wilbur-Ellis Company's dated May 21, 1993.
J.R. Simplot Company's application dated May 18, 1993.
Quincy Farm Chemicals, Inc.'s application dated May 21, 1993.
Farmer's Supply Co-operative, Inc.'s application dated May 19, 1993.
Cenex/Land O'Lake Ag Services' application dated May 20, 1993.
Nexus Ag Chemicals, Inc.'s application dated May 18, 1993.
The McGregor Company's application dated May 18, 1993.
Tri-River Chemical Co., Inc.'s application dated May 18, 1993.
Crop Protection Services, Inc.'s application dated May 19, 1993.

3. HAZARDOUS MATERIALS (Descriptor and class). A mixture consisting of 1,3 dichloropropene (83%) and chloropicrin (17%); a mixture consisting of 1,3 dichloro-propene and 1,2 dichloropropane (70%) and chloropicrin (30%); a mixture consisting of ethylene dibromide (36%), chloropicrin (30%) and inert solvent (34%); a mixture consisting of ethylene dibromide (54%) and chloropicrin (45%); or 1,3-Dichloropropene,1,2-Dichloropropane, 3,3-Dichloropropene, and 2,3-Dichloropropene (85%) and chloropicrin (15%); classed as Division 6.1. The chloropicrin % concentrations specified are maximum.

4. PROPER SHIPPING NAME (49 CFR 172.101). Chloropicrin mixture, n.o.s. or chloropicrin mixture, flammable, as appropriate.

5. REGULATION AFFECTED. 49 CFR 173.357(b).

6. MODE OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed for the mixture with 17 percent chloropicrin is DOT Specification MC-303, MC-304, MC-306, or MC-307 cargo tanks constructed of steel.

b. Packaging prescribed for the mixture with 30 percent or 45 percent chloropicrin is DOT Specification MC-304, MC-307, MC-310 or MC-312 cargo tanks constructed of steel.

8. SPECIAL PROVISIONS.

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

b. Each cargo tank must be inspected and retested in accordance with 49 CFR 177.824, except that for the tanks used to transport the mixture 15 or 17 percent chloropicrin, compliance with subparagraph(c)(4) of that section is hereby waived.

c. Each cargo tank must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background, "DOT-E 6418."

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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

10. EXPIRATION DATE. September 30, 1996.

Issued at Washington, D.C.:

JUN 24 1996

For Suzanne Hedgpeth

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, U.S. 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.

Dist: FHWA