U.S. Department
of Transportation

**Research and
Special Programs
Administration**

JUL 21 1999

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

DOT-E 12311

EXPIRATION DATE: September 30, 1999

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Wego Chemicals & Minerals Corp.
Great Neck, NY

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time, one-way, transportation in commerce of thiourea dioxide in seven non-DOT specification bulk packaging similar in design to a DOT Specification UN composite intermediate bulk container. This exemption provides no relief from the Hazardous Materials Regulations (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 § 173.241(d) in that non-DOT specification packaging is authorized.

5. BASIS: This emergency exemption is based on the application of Wego Chemicals and Minerals Corporation dated July 6, 1999, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Proper shipping name -- Hazardous materials description | Hazard Class/ Division | Identi- fication Number | Packing Group |
|---|---|---|---|
| Thiourea dioxide | 4.2 | UN3341 | II |

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are seven (7) non-DOT specification packagings similar in design to a DOT Specification UN composite intermediate bulk container measuring approximately 47"x47"x76½" consisting of a metal frame with a polyethylene inner bin.

b. OPERATIONAL CONTROLS -

(1) The non-DOT specification packaging will be transported from Ponderosa Fibers of Pennsylvania in North Hampton, PA to O'Neill Industries in Philadelphia, PA.

(2) The non-DOT specification packagings must be transported within a closed freight container.

(3) The non-DOT specification packagings must be transported by a vehicle owned by Wego Chemicals and Minerals Corporation or by a contract carrier.

8. SPECIAL PROVISIONS: A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each 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. 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 at Washington, D.C.:

JUL 21 1999

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, 400 Seventh Street, SW, 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.

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