U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 17 1996

DOT-E 9277
(SEVENTH REVISION)

1. American Cyanamid Company, Wayne, New Jersey, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of a certain Division 6.1 material, dry, for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the shipment of organic phosphate compound mixture, dry, a Division 6.1, in non-DOT specification five-ply natural kraft multiwall bags of 55.1 pounds (25 kilograms) capacity and having a minimum total basis weight of 250 pounds, and provides no relief from any regulation other than as specifically stated. **Reference to 49 CFR sections in this exemption are to regulations in effect on September 30, 1991.**

2. BASIS. This exemption is based on American Cyanamid Company's applications dated April 17, 1996, submitted in accordance with 49 CFR 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class). "COUNTER" (terbufos not exceeding 20.5% by weight) and "THIMET" or "AASTAR" (phorate not exceeding 20.5% by weight) soil insecticides; O-ethyl S, S-di-sec-butyl phosphorodithioate (not to exceed 20.5% by weight); other organic phosphate compound mixtures, dry, specifically identified to, and acknowledged in writing by, this office prior to the first shipment; classed as Division 6.1 materials. Counter formulations containing more than 3 percent Terbufos may only be shipped by motor vehicle and rail freight.

4. PROPER SHIPPING NAME (49 CFR 172.101). Organic phosphate compound mixture, dry; or the specific chemical name or generic commodity description, as appropriate.

5. REGULATION AFFECTED. 49 CFR 173.377(j); 175.3.

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

7. SAFETY CONTROL MEASURES. Packaging prescribed is non-DOT specification five-ply natural kraft multiwall bag of 55.1 pounds (25 kilograms) maximum net weight capacity and having a minimum total basis weight of 250 pounds. Bag must be constructed with the following minimum requirements:

- Inner ply of polyethylene and aluminum foil laminated to 50-pound natural kraft;
- Three plies of 50-pound natural kraft; and
- An outer ply of 50-pound fully bleached white natural kraft.

In addition, bag must be closed with hot melt adhesive and, closed as for shipment, must be capable of satisfactorily withstanding the performance tests prescribed in 49 CFR 178.238-6.

8. SPECIAL PROVISIONS.

a. Persons who receive packages covered by this exemption may reoffer them for transportation provided no modifications 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. A copy of this exemption must be carried aboard each cargo vessel used to transport packages covered by this exemption.

c. Organic phosphate mixtures (organophosphorus pesticides) having a concentration of active substance exceeding 2 percent PHORATE, 3 percent TERBUFOS, or 12 percent O-ethyl S,S,-di-sec-butyl phosphorodithioate may not be transported by vessel in the packagings authorized under this exemptions.

d. Organic phosphate mixtures (organophosphorus pesticides) in which the percentage of O-ethyl S,S,-di-sec-butyl phosphorodithioate is 12 or less may be transported by vessel in the packaging authorized under Section 7 of this exemption, provided:

i. The bags are palletized. Net weight of the product must not be more than 1100 Kg (2426 lb) per pallet.

ii. Each pallet load is totally enclosed (top, bottom, and sides) in strong corrugated fiberboard, which is secured to the pallet with plastic strapping.

iii. Each pallet is unitized with polyethylene shrink film or stretch wrapping.

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. December 31, 1996, or upon depletion of stock, whichever occurs earlier.

Issued at Washington, D.C.:

for Marilyn J. Morris

Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

JUN 17 1996
(DATE)

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