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

FEB 16 2000

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

DOT-E 9678
(SIXTH REVISION)

EXPIRATION DATE: January 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Rossborough Manufacturing Co., L.P.
Avon Lake, Ohio

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of a Division 4.3 material in non-DOT specification dry bulk tank semi-trailers. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.124 and 173.243.

5. BASIS: This exemption is based on the application of Rossborough Manufacturing Co., L.P. dated December 9, 1999, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Water-reactive solid, n.o.s.*	4.3	UN2813	III

* Mixtures contain the following in various proportions:

magnesium granules	0 to 30%
salt coated magnesium granules	0 to 90%
calcium carbide	5 to 99%
calcium oxide	5 to 100%

7. SAFETY CONTROL MEASURES: Packaging prescribed is a non-DOT specification, pneumatic dry bulk semi-trailer, constructed of aluminum or steel, pressure tested to 22.5 psig, rated for unloading a 15 psig, and constructed in accordance with the guidelines of the manufacturer of the units:
    a. Fruehauf
    b. Polar
    c. Butler
    d. Heil
    e. J & L

8. SPECIAL PROVISIONS:

    a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

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

    c. The bulk semi-trailer must be of a closed type with openings properly closed during transportation.

    d. Motor carriers used to transport the material must have a "Satisfactory" Safety Rating as prescribed in 49 CFR Part 385.

    e. Drivers must have been instructed in proper emergency procedures in the event of an emergency involving the material.

    f. Each semi-trailer must be marked and placarded in conformance with the requirements for cargo tanks and in accordance with Subparts D and F of 49 CFR Part 172.

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 the 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 incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

FEB 16 2000
(DATE)

For Robert A. McGuire
Acting Associate Administrator
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, 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.

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