JAN 18 2000

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

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

DOT-E 12408

EXPIRATION DATE: March 31, 2000

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: JLM Marketing, Inc.
Tampa, FL

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of approximately 1,400 bags containing a Division 5.1 material. The bags are not marked or labeled in accordance with the Hazardous Materials Regulations (HMR). This exemption provides no relief from any regulation 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 §§ 172.301(a), 172.400(a) and 178.3(a) in that the bags are not marked or labeled.

5. BASIS: This emergency exemption is based on the application of JLM Marketing, Inc., dated January 14, 2000, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper shipping name -- Hazardous materials description	Hazard Class/ Division	Identi-fication Number	Packing Group
Oxidizing solid, n.o.s. (contains sodium carbonate peroxyhydrate)	5.1	UN1479	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The packaging prescribed is authorized for a Division 5.1 material in the HMR and is certified, but not marked, as the following:

UN 5M2/Y26/S/99/ROK/KR

b. OPERATIONAL CONTROLS - The unmarked bags will be placed in two intermodal freight containers that will be placarded and marked in accordance with the HMR and will be accompanied by shipping papers.

8. SPECIAL PROVISIONS: A current copy of this exemption must be maintained at the facility where the package is offered for transportation. The shipment will originate at the port of Newark, New Jersey and end at East Brunswick, New Jersey, a distance of approximately 25 miles.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

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

JAN 18 2000

Robert A. McGuire
Acting 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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