U.S. Department of Transportation

Research and Special Programs Administration

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

DOT-E 10539
(FIRST REVISION)

JUL 10 1991

1. Monsanto Agricultural Company, St. Louis, Missouri, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer the package prescribed herein of a corrosive material for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes a one-time shipment of chloroacetyl chloride in a DOT Specification IM 101 portable tank, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Monsanto Agricultural Company's application dated December 27, 1990 and additional information dated February 14, 1991 and July 3, 1991 submitted in accordance with 49 CFR 107.103 and 107.105 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Choroacetyl chloride classed as a corrosive material.

4. PROPER SHIPPING NAME (49 CFR 172.101). Choroacetyl chloride.

5. REGULATION(S) AFFECTED. 49 CFR 173.3a, 173.32c(j).

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

7. SAFETY CONTROL MEASURES. Packaging prescribed is a DOT Specification IM 101 portable tank bearing container number MOTU-090208. The tank has a rated maximum gross weight of 67,196 pounds, and will weigh approximately 19,422 pounds having a filling density of approximately 25 percent.

8. SPECIAL PROVISIONS.

a. Motor carriers operating under the terms of this exemption must have a "Satisfactory" safety rating as prescribed in 49 CFR Part 385.

b. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.

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

d. The portable tank must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 10539". In addition, the tank must be marked "INHALATION HAZARD" on both sides in letters at least three and one-half inches high on a contrasting background in close proximity to the required placards.

e. Highway transportation shall occur only during daylight hours. In addition, transport shall occur only during non-rush hour periods.

f. Before transportation from Chicago, Illinois to Muscatine, Iowa the IM101 portable tank shall be visibly inspected as required by 49 CFR 173.32c.

g. When transported by vessel:

(1) The IM101 portable tank must be carried on deck only,in a sheltered area of the deck; and shall be protected, from exposure to the weather and seawater.

(2) Because of potential sloshing loads, restraints and lashings shall be augmented as necessary to prevent the occurrence of excessive stresses in the IM101 portable tank's support structure and hold-down fittings.

h. Transportation by rail must be in accordance with the following conditions:

(1) IM101 portable tank must be used for Container on Flat Car (COFC) shipments only;

(2) IM101 portable tank when used for COFC shipments must be equipped to be securely attached to a railroad container car equipped with an ISO standard COFC basic pedestal system designed for container support and securement;

(3) The railcar used to transport the portable tank in COFC service must be equipped with a cushioning system that meets the requirements of the Association of American Railroads Specification M-952-82;

(4) Transportation must be in accordance with 49 CFR 174.84; and

(5) With the exception of filling density, the IM101 portable tank must be in compliance with 49 CFR 173.32a, 49 CFR 173.32, and 49 CFR 173.32c.

i. The portable tank must be secured to the motor vehicle by a system which conforms with the requirements contained in 49 CFR 393.100 through 393.106.

j. This exemption serves as a special packaging approval under the provisions of 49 CFR 173.3a(a)(3).

9. REPORTING REQUIREMENTS:

a. In addition to the requirements of 49 CFR 171.15 and 171.16, the Associate Administrator for Hazardous Materials Safety (AAHMS) must be notified of any incident involving damage to the packaging or loss of contents of material shipped under this exemption.

b. AAHMS shall be advised of the causes of the incident and any remedial action taken as a result of the incident as soon as practicable after its occurrence.

10. EXPIRATION DATE. March 1, 1992 or upon completion of one shipment, whichever occurs first.

Issued at Washington, DC

Joseph T. Herring

for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

JUL 10 1991
(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: Exemptions Branch.

Dist: USCG, FHWA, FRA.