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

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

DOT-E 11236

MAR 31 1994

EXPIRATION DATE: April 30, 1994 or upon completion of one shipment of each freight container whichever occurs first.

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Miles Inc., Pittsburgh, PA

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time shipment in commerce of three (3) freight containers of n-Butyl isocyanate packaged in UN 1A1/X drums which are not overpacked as required by 49 CFR 173.226(b), and 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 Part 107, Appendix B, paragraph 1; 173.226(b).

5. BASIS. This exemption is based on Miles Inc.'s application dated March 23 1994, and additional information dated March 25, 1994, submitted in accordance with 49 CFR 107.113, and a determination that it is necessary to preclude a serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
n-Butyl isocyanate	3	UN2485	II, Hazard Zone A

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) Packagings prescribed are 108 UN 1A1/X drums, each manufactured from 16 gauge steel and having a maximum capacity of 55 gallons, contained in three freight containers. The containers are identified as follows: MSCU 233960-1; HLCU 219618-3; and HLCU 218648-3.

(2) The freight containers are constructed of steel, having a lining of at least 16 mm of plywood on all sides to a height of 1200 mm. The floor is covered with a minimum thickness of 3.2 mm of molded fiberboard. The front and door side is covered with 100 mm of polyurethane foamboard to a height of 1000 mm. The sidewalls are covered with 20 mm of polyurethane foamboard to a height of 1000 mm.

(3) Drums must be separated and cushioned by 15 mm polyurethane foamboard to a height of 1000 mm.

(4) Each freight container must be loaded with drums which are single stacked and with the door side of the lading blocked by steel strapping of 32 mm minimum width.

b. TESTING - No additional testing is required as a condition of this exemption.

c. MARKING - No additional marking is required as a condition of this exemption.

8. SPECIAL PROVISIONS.

a. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

b. Highway movement of the packagings authorized under this exemption is limited to exclusive use motor vehicles owned by Container Port Group Inc. Transportation under this exemption is authorized only between Port Elizabeth and Elizabeth, New Jersey a distance not exceeding three miles.

c. Drivers selected by the carrier to perform the carriage must have been trained in the hazards associated with the product and Miles' emergency response procedures.

d. Drums do not have to be marked with an exemption number as required by 49 CFR Part 107, Appendix B.

9. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

10. MODAL REQUIREMENTS:

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

b. The motor carrier must have a current safety rating of "satisfactory" as assigned by the Office of Motor Carrier Field Operations, Federal Highway Administration.

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 Hazardous Materials Transportation Act:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by 49 CFR 107.601 *et seq.*, when applicable.

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 unless a regulation has been amended making the exemption no longer necessary.

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. (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 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.:

MAR 3 1 1994

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, 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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