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

AUG 3 1 2000

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

DOT-E 12205

EXPIRATION DATE: May 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Independent Chemical Corporation
Glendale, NY

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain Division 4.2 materials on the same motor vehicle with certain non-alkaline or basic Class 8 liquids when segregated in accordance with the provisions of this exemption. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 177.848(d) Table, in that Division 4.2 spontaneously combustible materials may not be loaded, transported or stored together in the same transport vehicle with Class 8 liquids.

5. BASIS: This exemption is based on the application of Independent Chemical Corporation dated January 11, 1999 submitted in accordance with § 107.105 and supplemental information dated April 10, 2000 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Proper Shipping Name/ Hazardous Materials Description | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Thiourea dioxide | 4.2 | UN3341 | II or III |
| Corrosive liquids - as appropriate | 8 | As Appro-priate | As Appro-priate |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Thiourea dioxide must be packaged as follows:

Inner Packaging: Hermetically sealed polyethylene bags.

Outer Packaging: DOT Specification UN1G/Y fiber drum with an inner plastic liner.

b. OPERATIONAL CONTROLS -

(1) To prevent commingling on the motor vehicle, the Thiourea dioxide must be palletized with a minimum height of four (4) inches off the floor and separated from the Class 8 liquids by a minimum of four (4) feet.

(2) Thiourea dioxide may not be placed on the same motor vehicle with any alkaline Class 8 liquids.

8. SPECIAL PROVISIONS:

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

b. Transportation is limited to a private carrier motor vehicle only.

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 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.:

AUG 3 1 2000
(DATE)

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.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

Dist: FMCSA
PO: SCW