U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

NOV - 5 1993

DOT-E 11149

EXPIRATION DATE: November 15, 1993

1. GRANTEE: Reactives Management Corporation, Chesapeake, Virginia

2. PURPOSE AND LIMITATION: This exemption authorizes the one time transportation in commerce of four containers of methyl ethyl ketone peroxide (MEKP), forbidden for transportation, on a public highway for approximately 1.5 miles under police and fire department escort. This exemption provides no relief from any regulation other than as specifically stated.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Sections 173.21

5. BASIS: This exemption is based on Reactives Management Corporation's application dated October 20, 1993, submitted in accordance with 49 CFR 107.113 and a determination that it is necessary for the protection of life and property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	**Hazard Class/ Division**	**Identification number**	**Packing Group**
Methyl ethyl ketone peroxide (<=85%)	Forbidden	None	None

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. SAFETY CONTROLS - During preparation and repacking of the MEKP a safety team should be assembled consisting of Navy Security and Environmental personnel, a fire watch/safety back-up and a packer.

Suitable fire protection gear and fire repression equipment should be available and on site during repacking, loading and transportation of the MEKP.

b. PACKAGING -

1.) Four composite packagings should be prepared in the following manor: a 17H drum is filled with approximately three inches of vermiculite in the bottom; a 37A drum is placed in the center on the vermiculite and the annular ring between the two drums filled with vermiculite.

2.) Each of the four "Nalgene" bottles which contain the MEKP must be filled to the neck with commercial odorless mineral spirits. The mineral spirits should be added via siphon to minimize the disturbance of the MEKP and the input of mechanical energy.

3.) One "Nalgene" bottle which contains the diluted MEKP is placed into one composite packaging. Then the bottle is surrounded with dry ice to immobilize it and cool the MEKP. This is repeated for each bottle. **The dry ice should be added a minimum of one hour prior to loading on the transport vehicle.**

4.) Prior to loading the composite packages, containing the MEKP, onto the Reactives Management truck, the level of dry ice should be checked and additional dry ice added if necessary to insure that the "Nalgene" bottles will not shift during loading or transportation.

c. LOADING - At approximately 0300 hours Monday morning the four packages of MEKP should be loaded onto Reactives Management's one-ton chassis Ford F-350 truck. Each 17H drum should be secured to the side walls of the cargo area with two inch wide nylon straps. The drums should be placed so that the maximum distance between drums is achieved. Then, 15A wooden boxes are placed between all the drums to provide a solid barrier.

d. TRANSPORTATION -

The transport of the MEKP will take place between the hours of 0300 and 0430 under the direction of the Norfolk Police Department and Reactives Management Corporation. The following vehicles with appropriate personnel should be used to transport the product; two Norfolk Police Department cars, Reactives Management's truck, one ambulance, one Norfolk Naval Station fire truck, and one Norfolk Naval Station Police car.

The convoy of vehicles will take the following route which will be secured by the Norfolk Police Department during transport: The convoy will leave Navy property on Leutz street onto Hampton Boulevard traveling North. The convoy will form a moving blockade with the Reactive Management truck in the middle as it proceeds approximately 1.5 miles down Hampton Boulevard. The Reactive Management truck will then turn onto Seabee Road and be back on U.S. Navy property. After turning onto Seabee Road security will be provided by the Norfolk Navel Station Police to the designated disposal area.

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.

9. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

10. MODAL REQUIREMENTS: Not as a condition of 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 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.

    Any use or application of 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.: NOV - 5 1993

Alan I. Roberts (DATE)
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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