MAR 3 1997

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

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

DOT-E 11807

EXPIRATION DATE: **January 31, 1999**

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Kirby Chemical Co.
Longview, TX

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of packages of certain corrosive materials bearing labels which are slightly smaller than those authorized by the Hazardous Materials Regulations. 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 Sections 172.407(c)(1).

5. BASIS: This exemption is based on the application of Kirby Chemical Co. dated December 11, 1996 submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Compounds, cleaning, liquid (containing sodium hydroxide)	Class 8	NA1760	II
Compounds, cleaning, liquid (containing sodium hydroxide)	Class 8	NA1760	III
Compounds, cleaning, liquid (containing potassium hydroxide)	Class 8	NA1760	II

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Hypochlorite solution with more than 5%, but less than 16% available chlorine	Class 8	UN1791	III
Compounds, cleaning, liquid (containing phosphoric acid & ammonium hydrogen fluoride)	Class 8	NA1760	II

7. PACKAGING AND SAFETY CONTROL MEASURES: Packaging must comply with the requirements of 49 CFR.

8. SPECIAL PROVISIONS:

a. This exemption authorizes the use of corrosive labels about 1/4 inch smaller than prescribed in 49 CFR 172.407(c)(1) printed prior to December 1, 1996, until the stock is depleted.

b. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: None required by this exemption.

A copy of this exemption must be carried aboard each motor vehicle carrying 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. Section 5101 et seq:

- 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.

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 incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

MAR 3 1997

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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