U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

AU - 7 1998

DOT-E 11890
(FIRST REVISION)

EXPIRATION DATE: April 30, 1998

1. GRANTEE: BetzDearborn, Inc.
Trevose, PA

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time shipment of composite intermediate bulk containers (IBCs) authorized under DOT-E 9374, or in UN PG-II IBCs which contain Class 8, packing group I material. 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 173.243(d)(2)(i).

5. BASIS: This emergency exemption is based on the applications of BetzDearborn, Inc. dated April 16, 1997, and December 26, 1997, submitted in accordance with 49 CFR 107.117 and a determination that it is necessary to preclude a substantial economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Corrosive liquid, flammable, n.o.s. (Beta-bromo-beta-Nitrostyrene in petroleum solvent)	8	UN2920	I

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. Packagings are non-DOT specification rotationally molded polyethylene portable tanks of 200, 300, and 400 gallon capacity which are authorized under DOT-E 9374; or

b. UN PG-II intermediate bulk containers (400 gallon capacity).

c. The one-time shipment of each package covered by this exemption is authorized from Cliffton, New Jersey to BetzDearborn's facilities in Pointe Claire, Quebec. The packagings used for transportation to the facility in Canada may be returned empty to Cliffton, New Jersey for cleaning.

d. Vehicles used for transportation under this exemption must be used exclusively for the transportation authorized herein.

e. Each tank must be visually inspected prior to shipment for evidence of oxidation, embrittlement, discoloration, stress cracking or crazing, container collapse, or any other condition which would adversely affect the container's structural integrity. Any container showing such evidence must be immediately removed from service and have its serial number reported to the Office of Hazardous Materials Exemptions and Approvals.

f. The portable tanks must be plainly marked on both sides near the middle with "DOT-E 9374".

g. Must be marked in accordance with 49 CFR 178.703.

8. SPECIAL PROVISIONS:

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:

A 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. 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.

Each "hazmat employee", as defined in 49 CFR 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 49 CFR 172.700 through 172.704.

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

Issued at Washington, D.C.:

J. Suzanne Hedgspeth

JAN - 7 1998

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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