MAR 25 1999

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

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

DOT-E 12077
(SECOND REVISION)

EXPIRATION DATE: April 30, 1999

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Akzo Nobel Chemicals, Incorporated
Chicago, IL

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of one (1) DOT Specification IM 101 portable tank which has not been retested and marked as meeting the test pressure of 9 bars although tanks are designed to meet this standard. This tank contains a residual amount of approximately 100 gallons of a Class 8, PG II (Hazard Zone B) 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 § 172.102(c)(7)(ii) Special Provision T43.

5. BASIS: This emergency exemption is based on the application of Akzo Nobel Chemicals, Incorporated submitted in accordance with § 107.117 and a determination that it is necessary to protect life and property.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Idenifi-cation Number	Packing Group
Titanium tetrachloride	8	UN1838	II, Hazard Zone B

7. PACKAGING AND SAFETY CONTROL MEASURES: Packaging prescribed is one (1) insulated DOT Specification IM 101 portable tank not meeting the requirements of § 172.102(c)(7)(ii) Special Provision T43. The tank bears the following manufacturer's serial number: SECS 467890 3.

8. SPECIAL PROVISIONS:

a. The tank will be transported to a cleaning facility for cleaning and then removed from service.

b. MARKING - Each portable tank must be plainly marked on both sides near the middle, in letters and numbers at least two inches high on a contrasting background, "DOT-E 12077".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

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

b. When transported by motor vehicle, each portable tank must be secured to the motor vehicle in conformance with the requirements of § 393.100 through § 393.106 and rear end protection for the motor vehicle must meet the requirements of § 178.345-8(d) and § 393.86.

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

Issued at Washington, D.C.:

Ann Mazzullo 3/25/99

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.

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

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