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

FEB 11 1997

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

DOT-E 11835

EXPIRATION DATE: July 31, 1997

1. GRANTEE: Chase Packaging, Inc.
Newport News, VA

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of approximately 161,200 DOT UN 5H3 water-resistant woven plastic bags which have been inadvertently marked UN 5H3/Y26/97/USA/M4246 instead of UN 5H3/Y26/S/97/USA/M4246, for the shipment of sodium hydroxide, solid. 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: The marking requirements contained in 49 CFR 172.203(a); 172.301(c); and 178.503(a)(5)(ii).

5. BASIS: This emergency exemption is based on the application of Chase Packaging, Inc., dated February 5, 1997, submitted in accordance with 49 CFR 107.117 and a determination that it is necessary to preclude a serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous materials description -- proper shipping name | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Sodium Hydroxide, solid | 8 | UN1823 | II |

7. PACKAGING AND SAFETY CONTROL MEASURES: Packagings prescribed are approximately 161,200 DOT UN 5H3 water-resistant woven plastic bags which have been inadvertently marked UN 5H3/Y26/97/USA/M4246 instead of the required UN 5H3/Y26/S/97/USA/M4246.

8. SPECIAL PROVISIONS:

a. Offerors may use the packaging authorized by this exemption for shipment of the hazardous material described in paragraph 6 and must have a copy of the current exemption at each facility from which such offering occurs.

b. 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.

c. The marking requirements of 49 CFR 172.203(a) and 172.301(c) are waived.

9. MODE OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

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

b. No other hazardous material or cargo may be transported on the same motor vehicle with the 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 incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

FEB 11 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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