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

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

NOV 2 4 2003

DOT-E 12062
(SIXTH REVISION)

EXPIRATION DATE: October 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Vulcan Chemicals
Birmingham, AL

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of pentachlorophenol in a non-DOT specification, pneumatic hopper trailer. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.242(b) in that the use of a non-DOT specification packaging is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Vulcan Chemicals dated October 20, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Pentachlorophenol	6.1	UN3155	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is an aluminum non-DOT specification, pneumatic hopper trailer as follows:

(1) J&L Tank in accordance with specification number 575A. The trailer has a capacity of 1,000 cubic feet.

(2) The Heil Company, Model 1040 Super Jet Dry Bulk, with a capacity of 1,040 cubic feet.

b. TESTING -

(1) At time of manufacture - Trailers must be hydrostatically tested in accordance with J&L Tank manufacturing procedure No. 550-0001, dated May 16, 1997 or § 180.407(g)(viii). Test pressure must be no less than 1.5 times the maximum operating pressure.

(2) In-service test and inspection - Trailers must be subject to the following tests and inspections:

(i) External visual inspection must be conducted in accordance with § 180.407(d) with an inspection interval of 1 year.

(ii) Internal visual inspection must be conducted in accordance with § 180.407(e) with an inspection interval of 5 years.

(iii) Leakage testing must be conducted in accordance with § 180.407(h) utilizing a test pressure of 12 psi (80% of maximum operating pressure) with a test interval of 1 year.

(iv) If the tank meets any of the conditions specified in § 180.407(b), the tank must be tested and inspected prior to being returned to hazardous materials service.

c. OPERATIONAL CONTROLS - Prior to shipment, each grantee must ensure all filling openings and discharge pipes are closed and secured to ensure the trailer is siftproof. Discharge valves must be secured in the closed position prior to transport.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current 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. 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 incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

NOV 24 2003

Robert A. McGuire
for 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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: DBurger/alb

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 and § 107.109, as appropriate:

NOV 2 4 2003

Company Name City/State	Application Date	Issue Date	Expiration Date
Wood Protection Products, Inc. Charlotte, NC	11/3/2003	11/18/2003	10/31/2005

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety