U.S. Department
of Transportation

Research and
Special Programs
Administration

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

JUL 29 1993

DOT-E 11076

EXPIRATION DATE: July 1, 1994

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Members of the National Agricultural Chemicals Association (NACA), Washington, DC, their dealers and distributors.

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of agricultural chemicals in packagings, authorized by 49 CFR Part 173 that were packaged prior to June 1, 1993, and that have been marked and labeled in accordance with the applicable requirements of 49 CFR Part 172, Subparts D and E, required and authorized prior to October 1, 1993.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Part 107, Appendix B to Subpart B; 171.14(b)(4)(i).

5. BASIS: This exemption is based on NACA's emergency application of July 27, 1993, submitted in accordance with 49 CFR 107.113, and a determination that it is necessary, for protection of life and property because of the declared emergency due to floods throughout the Midwestern United States, to facilitate expedited removal from flood affected areas.

6. HAZARDOUS MATERIALS: - Agricultural chemicals classed as hazardous materials, excluding explosives; proper shipping name and associated entries, as appropriate.

7. SAFETY CONTROL MEASURES: Compliance with 49 CFR Parts 171-180 except as stated herein.

8. SPECIAL PROVISIONS:

a. Packages may be marked and labeled in accordance with the applicable requirements of 49 CFR Part 172, Subparts D and E required and authorized prior to October 1, 1993.

b. The provisions of 49 CFR Part 107, Appendix B to Subpart B are hereby waived.

EXPIRED - NOT Active

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.

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 Hazardous Materials Transportation Act:

- All terms and conditions prescribed in this exemption.
- Any use or application of this exemption, including display of its number, when the exemption has expired.

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.:

JUL 29 1993

(DATE)

Alan I. Roberts
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.

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