APR - 9 1997

U.S. Department of Transportation

Research and Special Programs Administration

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

DOT-E 11861

EXPIRATION DATE: May 15, 1997

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Polymet Alloys, Incorporated
Saginaw, Alabama

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of 256 UN1A2 drums, containing a Division 4.3 material, which are overloaded by 20%. This exemption provides no relief from any regulations other than as specifically stated.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 172.302(c) and 173.24a (b)(2).

5. BASIS. This emergency exemption is based on Polymet Alloys, Incorporated's application of April 4, 1997, submitted in accordance with 49 CFR 107.117, and a determination that the exemption is necessary to avoid a potential threat to health, safety or property that would result from continued transportation to original destination.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description			
Proper shipping name	**Hazard Class/Division**	**Identification number**	**Packing Group**
Water reactive solid, n.o.s. (Calcium Barium Silicide)	4.3	UN 2813	II

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. Packagings prescribed are 256 UN1A2 drums designed and tested for 250 kilograms but contain up to 300 kilograms of product. The drums are overpacked in a freight container (the container).

b. Prior to transportation, the shipper shall receive acknowledgement from the U.S. Coast Guard, Marine Safety Office, Savannah, Georgia, that the drums are properly blocked and braced within the container to prevent movement during transportation.

c. Shipment of the container is authorized from Georgia Port Authority, Port of Savannah, Georgia, to the Norfolk Southern Intermodal Facility, Birmingham, Alabama, a distance of approximately 400 miles via Norfolk Southern Corporation, and from the Norfolk Southern Intermodal Facility, to Polymet Alloys, Incorporated, Saginaw, Alabama, a distance of 30 miles via Diamond Express.

8. SPECIAL PROVISIONS.

a. The marking requirement of 49 CFR 172.302(c) is waived.

b. Within 30 days of receipt of this exemption, Polymet Alloys, Incorporated, shall prepare and submit an action plan to the Federal Railroad Administration, 100 Alabama Street, S.W., Suite 16T20, Atlanta, Georgia, 30303-3104, Attn: Mr. Robert Rader, which outlines the steps Polymet Alloys will take to ensure future shipments are transported in accordance with regulations.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight and motor vehicle.

10. MODAL REQUIREMENTS: No modal specific requirements are required 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 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 49 CFR 107.601 et seq., when applicable.

Any use or application of this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect unless a regulation has been amended making the exemption no longer necessary.

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

Issued at Washington, D.C.:

APR - 9 1997
(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. 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.

Dist: FRA