U.S. Department
of Transportation

**Research and
Special Programs
Administration**

FEB 25 1998

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

DOT-E 12042

EXPIRATION DATE: **March 31, 1998**

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: E.I. DuPont de Nemours & Company, Inc.
Wilmington, DE

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of a DOT Specification MC-312 cargo tank, containing Hydrogen fluoride, anhydrous, which sustained damage to the tank body and appurtenances, including a safety relief valve during an accident. The valve has been capped to prevent leakage during transportation. 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 172.302(c) and 180.407(b)(1).

5. BASIS: This emergency exemption is based on the application of E.I. DuPont de Nemours & Co., Inc. dated February 12, 1998 and a telephone conversation of February 13, 1998, resulting in the verbal grant of your request for the purpose of preventing significant injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous materials description -- proper shipping name | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Hydrogen fluoride, anhydrous | 8 | UN1052 | I |
| | | | |

7. PACKAGING AND SAFETY CONTROL MEASURES: Packaging is a DOT Specification MC-312 cargo tank with damaged to the tank body and appurtenances and a damaged safety relief valve which has been equipped with a cap to prevent leakage during transportation. The cargo tank will be loaded onto a flatbed trailer and secured to prevent movement during transportation.

8. SPECIAL PROVISIONS:

a. The shipment will originate at Sonora, Texas destined for Corpus Christi, Texas where the cargo tank will be unloaded of all liquid content and transported to LaPorte, Texas for examination. Once the tank is made liquid and fume free, the cap on the safety relief valve is not required. The carrier will be Sentinel Transportation Company.

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

c. The holder of this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: None as a requirement of 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.

Each "Hazmat employee", as defined in 49 CFR 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 49 CFR 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. (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.:

FEB 25 1998

Suzanne Hedgpeth

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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