U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 12059

EXPIRATION DATE: May 17, 1998

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Nalco/Exxon Energy Chemicals, LP
Anchorage, Alaska

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of a Class 8 material in DOT specification portable tanks that exceed the package quantity limitations when transported by cargo aircraft. 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 172.101(9B) in that the quantity limitation for a class 8 material by cargo aircraft is exceeded.

5. BASIS: This emergency exemption is based on the application of Nalco/Exxon Energy Chemicals, LP, dated April 15, 1998, submitted in accordance with 49 CFR 107.117 and a determination that it is necessary to preclude a threat to life and property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous materials description -- proper shipping name | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Caustic alkali liquids, n.o.s. (sodium hydroxide, potassium hydroxide) | 8 | UN1719 | II |
| | | | |

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING: Packagings prescribed are 12 DOT specification 57 portable tanks, each containing 200 gallons.

b. The tanks will be secured within the aircraft prior to transportation.

c. The transportation will be from Anchorage, Alaska to Beluga Airstrip, 25 miles northwest across Cook Inlet from Anchorage, Alaska in cargo aircraft operated by Lyndon Air Cargo, FAA Certificate LR7A-113H.

8. SPECIAL PROVISIONS: The shipper 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.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo aircraft only.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each cargo aircraft used to transport packages covered by this exemption. The shipper shall furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

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.:

APR 23 1998

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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