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

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

DEC 11 1998

DOT-E 12193

EXPIRATION DATE: December 31, 1998 or upon completion of the shipment, whichever occurs first

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Clariant, Corporation
Charlotte, NC

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of four (4) DOT 56 portable tanks containing sodium hydrosulfite which were damaged in a highway incident on December 3, 1998. 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 173.24(d)(2)(ii) in that DOT 56 portable tanks damaged as a result of a transportation incident and not capable of meeting prescribed tests in part 178 may be used; the marking requirement specified in 49 CFR 172.302(c).

5. BASIS: This emergency exemption is based on the application of Clariant Corporation dated December 8, 1998, submitted in accordance with 49 CFR 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Proper shipping name -- Hazardous materials description	Hazard Class/ Division	Identi-fication Number	Packing Group
Sodium hydrosulfite	4.2	UN1384	PGII

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) The packaging prescribed are four (4) DOT 56 portable tanks, damaged due to a highway incident.

(2) The damaged areas, located above the normal fill line, must be completely sealed with duct tape.

(3) The entire DOT 56 portable tank must be completely enclosed in industrial grade stretch wrap.

b. OPERATIONAL CONTROLS -

(1) The DOT 56 portable tanks must be loaded in a dedicated, fully enclosed trailer with tiedown devices used to secure the tanks within the trailer.

(2) The temperature of the material in the portable tanks must be monitored at the beginning and end of the daily journeys but no less than once every twelve hours.

(3) Transportation is authorized between Chestertown, New York and Leeds, South Carolina.

8. SPECIAL PROVISIONS:

a. Clariant Corporation must maintain a current copy of this exemption at their Leeds, South Carolina facility.

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

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

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 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.

o 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.:

DEC 11 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.

Dist: FHWA
PO: DBURGER/am