U.S. Department
of Transportation

**Research and
Special Programs
Administration**

JAN 13 2000

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

DOT-E 12394

EXPIRATION DATE: **March 31, 2000**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Honeywell Global Logistics
Morristown, NJ

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time, one-way transportation in commerce of boron triflouride acetic acid complex or boron triflouride acetic acid complex residue in high density polyethylene UN31H1 intermediate bulk containers. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.101 column (7) - Special Provision B6 and 172.102(c)(3) Special Provision B6 in that plastic intermediate bulk containers are authorized; the marking requirement specified in § 172.302(c).

5. BASIS: This emergency exemption is based on the application of Honeywell Global Logistics dated December 10, 1999, and supplemental information dated December 16, 1999, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper shipping name -- Hazardous materials description	Hazard Class/ Division	Identi- fication Number	Packing Group
Boron triflouride acetic acid complex	8	UN1742	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are eleven UN 31H1 intermediate bulk containers (IBCs) fabricated from high density polyethylene having ethylene propylene rubber (EDPM) gaskets.

b. OPERATIONAL CONTROLS -

(1) Shipment must be by private or contract motor carrier under exclusive use.

(2) The shipment of five filled IBCs is authorized between Buffalo, NY and Claymont, DE.

(3) The shipment of six IBCs containing residue is authorized between Augusta, GA and Claymont, DE.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be maintained at each facility where the package is offered for transportation.

b. The marking requirement specified in § 172.302(c) is waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current 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. 5101 et seq:

    - All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

    - Registration required by § 107.601 et seq., when applicable.

    Each "Hazmat employee", as defined in § 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 §§ 172.700 through 172.704.

    No person may use or apply this exemption, including display of its number, when this 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. (Sections 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 in Washington, D.C.:

JAN 13 2000

(DATE)

Robert A. McGuire
Acting Associate Administrator
for Hazardous Materials Safety

JAN 13 2000

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, 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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