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

AUG 1 0 2000

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

DOT-E 12432

EXPIRATION DATE: June 30, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Toxco, Inc.
Anaheim, CA

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the use of packages filled with lithium hydroxide monohydrate prior to October 1, 1991, for transportation in commerce until October 1, 2003. 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 § 173.14(a) in that the transportation of previously filled packages is authorized until October 1, 2003.

5. BASIS: This exemption is based on the application of Toxco Inc. dated February 9, 2000, submitted in accordance with § 107.105 and the public procceding thereof.

AUG 1 0 2000

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Lithium hydroxide, monohydrate	8	UN2680	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are polyethylene-lined fiberboard drums which meets the requirements in effect on September 30, 1991 for the material. Each drum must be placed in a new DOT approved polyethylene-lined overpack steel drum.

b. OPERATIONAL CONTROLS - The materials must be transported from the Department of Energy facility in Piketon, OH to Toxco's LithChem processing facility in Baltimore, OH in trucks owned or contracted by Toxco Inc.

8. SPECIAL PROVISIONS:

a. Toxco, Inc. must maintain a record on the quantities of materials transported under the exemption.

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

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: No additional modal requirement as a result 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. 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.:

AUG 1 0 2000
(DATE)

Robert A. McGuire
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. 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.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: KFW