U.S. Department
of Transportation

**Research and
Special Programs
Administration**

JUL 17 2000

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

DOT-E 12508

EXPIRATION DATE: **September 30, 2000**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: BASF Corporation
Mount Olive, NJ

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-way, one-time, transportation in commerce of boron trifluoride acetic acid complex in DOT Specification UN 31HA1 composite intermediate bulk containers (IBC). 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, Hazardous Materials Table, Column 7, Special Provision B6 and 172.102(c)(3) Special Provision B6 in that the IBCs are not made of steel.

5. BASIS: This emergency exemption is based on the application of BASF Corporation dated February 1, 2000, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

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

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are seven (7) DOT Specification UN 31HA1 IBCs.

b. OPERATIONAL CONTROLS -

(1) Each IBC must be visually inspected prior to shipment. Any unsafe condition must be corrected prior to shipping the IBC.

(2) This exemption authorizes the one-way, one-time transport by motor vehicle from Harvey, LA to Augusta, GA.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be maintained at the facility where the IBCs are offered for transportation.

b. MARKING - Each IBC must be marked "DOT-E 12508" as specified in §§ 172.302(b) and (c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard the motor vehicle used to transport the IBCs 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.:

JUL 17 2000

Robert A. McGuire
Acting Associate Administrator
for Hazardous Materials Safety

(DATE)

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.

PO: CHHOCHMAN