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

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

JAN 2 1 2003

DOT-E 12547
(FIRST REVISION)

EXPIRATION DATE: December 31, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Rohm and Haas Company
Philadelphia, PA

2. PURPOSE AND LIMITATION:

a. This exemption authorizes, at the Rohm and Haas facility in Louisville, Kentucky, the use of video cameras and monitors to observe the loading and/or unloading operations of hazardous materials from two remote control stations in place of personnel remaining within 7.62 meters (25 feet) of the cargo tank motor vehicles. 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 § 177.834(i)(3) in that the loading or unloading of a cargo tank without the attendance of a qualified person within 25 feet of the cargo tank is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Rohm and Haas dated January 8, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Proper Shipping Name/ Hazardous Materials Description | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Materials authorized to be shipped in cargo tank motor vehicles | As appro-priate | As appro-priate | II, III |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The hazardous material described in paragraph 6 must be transported in authorized DOT specification cargo tank motor vehicles.

b. OPERATIONAL CONTROLS -

(1) Each cargo tank must be loaded by qualified persons, who are familiar with the product and with the proper procedures for its safe handling.

(2) The provisions of § 177.834 (i) must be complied with except that paragraph (3) is replaced with the following:

"A designated Production Operator must observe all loading/unloading operations by means of either of two video monitors located respectively in the Control Center and at the Operating Control Panel in the production area. Each loading and/or unloading system must be equipped with the following:

(i) Video cameras must have a motorized zoom lens, and must be capable of panning and zooming from both remote control stations. The camera will be mounted at least 20-feet above ground level and no more than 30-feet distant from the cargo tank motor vehicle, so as to provide an unobstructed view of all equipment involved in loading/unloading operations on the top, side and underside of the cargo tank. This will include all valves, hoses, domes, and safety relief devices. In addition, the view capability must include the containment area.

(ii) Upon loss of video, loading/unloading operations must be immediately terminated. Shut-off valves operable from each of the remote control stations must be provided.

(iii) In the event of a remote system failure, the Production Operator must immediately resume attending loading/unloading operations from within 7.62 meters (25-feet) of the cargo tank.

(iv) A containment area must be provided capable of holding the contents of as many cargo tank motor vehicles as might be loaded/unloaded at the facility at any single time."

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be conspicuously displayed at each remote control station at this facility.

b. The Production Operator must visually inspect each cargo tank motor vehicle after it is loaded/unloaded, prior to departure, in accordance with facility policy.

c. Written procedures for training of the Production Operators, for their adherence to standard operating procedures, and for inspection and maintenance of video equipment and of the shut-off valve/remote control system must be on file with the Office of Hazardous Materials Exemptions and Approvals prior to operating under the terms of this exemption. Rohm and Haas Company must maintain a list of qualified Production Operators. A copy of this list must be available for inspection during normal working hours.

d. This exemption applies only to the Rohm and Haas Company manufacturing and shipping site located in Louisville, KY.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: None other than as required by the HMR.

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.:

Ann Mazzullo

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

JAN 21 2003
(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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: DB/AM