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

FEB 16 2001

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

DOT-E 12638

EXPIRATION DATE: **March 20, 2001**

1. GRANTEE: Stolt Nielsen, Inc.
Houston, TX

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time transportation of an IM 101 portable tank, containing flammable liquid, n.o.s., which is overdue for periodic inspection. 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 § 172.302(c) in that marking the portable tank with the exemption number is waived and § 173.32c(c) in that an IM 101 specification portable tank for which the periodic retest has become due may not be filled and offered for transportation, except as specified herein.

5. BASIS: This emergency exemption is based on the application of Stolt Nielsen, Inc., dated February 8, 2001, and additional information dated February 15, 2000, submitted in accordance with § 107.117 and a determination that it is necessary to preclude serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Flammable liquid, n.o.s. (Propylene glycol mono methyl ether acetate, Xylene)	3	UN1993	III

7. SAFETY CONTROL MEASURES: Packaging is an IM 101 Portable tank serial number TRLU 021870-4.

8. SPECIAL PROVISIONS:

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

b. The exemption authorizes the one-way transportation of an IM 101 portable tank from Suffolk, VA to Louisville, KY.

c. MARKING - The marking requirements of § 172.302(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

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

FEB 16 2001
(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