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

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

FEB 21 2002

DOT-E 12807
(SECOND REVISION)

EXPIRATION DATE: **April 30, 2002**

1. GRANTEE: Clariant Corporation
Charlotte, NC

2. PURPOSE AND LIMITATION:

   a. This emergency exemption authorizes the one-way transportation of a UN31A IBC, which was filled with a flammable liquid beyond its requalification due date. This exemption provides no relief from any Hazardous Materials Regulation (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 § 180.352(b)(1) in that an IBC must be requalified at least every 2.5 years except as specified herein, and the marking requirement of § 172.302(c) is waived.

5. BASIS: This emergency exemption is based on the application of Clariant Corp., dated August 14, 2001, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss. Supplemental letters were submitted on October 4, 2001 and February 21, 2002.

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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
Flammable liquid, n.o.s. (Containing cyclopentanone and cylcohexanone)	3	UN1993	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is one UN31A IBC with a capacity of 220 gallons.

b. VISUAL INSPECTION - Prior to each shipment, the package must be given an external visual inspection to ensure there is no leakage or damage.

8. SPECIAL PROVISIONS:

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

b. This exemption only authorizes the one-way transportation of one UN31A/Y/08-97 IBC from Portland, Oregon via Bushnell Trucking to a customer site at Fujitsu Microelectronics in Gresham, Oregon for unloading. After unloading, the empty IBC, containing only residue, is authorized for a one-way transportation from Gresham, Oregon via Yellow Freight System to Clariant Corporation, Sommerville, New Jersey for leakproofness testing.

c. MARKING - The marking of the bulk packaging with the exemption number required under § 172.302(c)is waived. The notation "DOT-E 12807" must appear on the shipping papers.

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 the package 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 requirements required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the 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 21 2002

For Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

(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: KW/AM