U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUL 2 8 2004

DOT-E 13561

EXPIRATION DATE: November 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Sigma-Aldrich Corporation
Milwaukee, WI

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain hazardous materials between two facilities of Sigma-Aldrich Company. 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. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 171-180 except for § 173.21 in that forbidden materials apply to transport.

5. BASIS: This exemption is based on the application of Sigma-Aldrich Corporation dated April 27, 2004 and supplemental information dated June 1, 2004, submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
As appropriate	3, 4.1, 4.2, 4.3, 5.1, 5.2, 6.1, 8, & 9	As appro-priate	As appro-priate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings are single packagings or combination packagings consisting of inner packagings packed in strong outer packagings, or unitized in cages, carts or similar overpacks. Single and inner packagings must:

(1) Be such that the packaging material and its contents are not capable of reacting dangerously with each other;

(2) Be positively closed in such a manner as to remain secure and leakproof under conditions normally incident to transportation;

(3) Be secured within the outer packaging, cage, cart or overpack in such a manner as to prevent their breakage or leakage under the conditions normally incident to transportation;

(4) When containing liquids,

(i) Be filled at less than full at a temperature of 55 °C; and

(ii) Be packed in the strong outer packaging, cage, cart or overpack with closures upright;

(5) Hazardous materials must not be packed in the same outer packaging, cage, cart or overpack with other hazardous or non-hazardous materials if such materials are capable of reacting dangerously with each other and causing:

(i) Combustion or dangerous evolution of heat;

(ii) Evolution of flammable, poisonous or asphyxiant gases; or

(iii) Formation of unstable materials.

(6) Quality control samples are permitted to be transported in drawered cabinets which are securely closed by locking or shrink-wrapping.

b. OPERATIONAL CONTROLS -

(1) This exemption authorizes the one-way transport of hazardous materials packages from the existing facilities at 940 W. St Paul Avenue, 1101 W. St Paul Avenue, and 230 S. Emmber Lane to the new facility at 6000 N. Teutonia Avenue and the existing Sigma-Aldrich facility at 2905 W. Hope Avenue, all at Milwaukee, Wisconsin, a total distance of about 10 miles. Also hazardous materials packages will be moved from the facility at 1101 W. St Paul Avenue to 230 S. Emmber Lane, a distance of less than one mile. All moves must be done by the most direct route, using transport vehicles operated by Sigma-Aldrich employees.

(2) Packages must be loaded on and unloaded from transport vehicles by Sigma-Aldrich employees.

(3) Each motor vehicle transporting Hazardous Materials under this exemption must be accompanied by a seperate telephone-equipped vehicle and remain in visual contact with the accompanied vehicle at all times. The driver of each vehicle must be instructed as to actions to be taken in the event of an incident involving the motor vehicle being accompanied and possess appropriate emergency response information.

(4) Both the drivers of each transport vehicle and the accompanying vehicle must possess an itemized listing by proper shipping name or the chemical name of each hazardous material aboard the vehicle (except for the quality control samples in the drawered cabinets).

(5) During transportation, a trained and equipped HAZMAT spill response team will be located at either the origin or destination location and be accessible by phone to both the drivers of the transport vehicle and the accompanying car.

(6) The forbidden materials and package provisions in § 173.21 apply to transport under the terms of this exemption.

(7) Motor vehicles must be placarded with the "DANGEROUS" placard on each side and each end.

(8) Only closed motor vehicles owned and operated by Sigma-Aldrich Corporation, or leased by and under the exclusive control of Sigma-Aldrich Corporation are authorized.

(9) The maximum outer package size is 55 gallons except for Division 4.2 and 4.3 materials, of which the maximum package size is 30 gallons.

(10) Hazardous materials requiring segregation or separation as denoted by "X" or "O" in the § 177.848 chart must be separated within the transport vehicle by a distance of not less than three feet (except for the quality control samples in the drawers).

(11) Each outer package, bin, cage, etc. must be marked with the proper shipping name or the chemical name.

8. SPECIAL PROVISIONS: A current copy of this exemption must be maintained at each facility where the package is offered for transportation.

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 packages 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.
- Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- 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.:

for Robert A. McGuire
Associates Administrator for
Hazardous Materials Safety

JUL 2 8 2004
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: STH