U.S. Department
of Transportation

**Pipeline and
Hazardous
Materials Safety
Administration**

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

FEB 2 2 2005

DOT-E 14153

EXPIRATION DATE: April 30, 2005

1. GRANTEE: BASF Corporation
Florham Park, NJ

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time, one-way transportation in commerce of Toxic liquids, corrosive, organic, n.o.s., Zone A materials in UN standard 6HA1 drums that do not comply with the overpack requirements of § 173.226(b). 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 § 173.226(b) in that UN standard 6HA1 drums must be overpacked except as provided herein.

5. BASIS: This emergency exemption is based on the application of BASF Corporation dated February 16, 2005, submitted in accordance with § 107.117 and a determination that it is necessary to protect life and the environment.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Toxic liquids, corrosive, organic, n.o.s. *inhalation hazard, Packing Group I, Zone A*	6.1	UN2927	I, Hazard Zone A

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) Packagings prescribed are approximately 80 UN 6HA1 drums (meeting the packing group I performance level) that are authorized in §173.226(b) except that they are not overpacked as required.

(2) The drums will be loaded into the transport vehicle by BASF personnel and will be palletized, blocked, braced and stacked, one-drum high within the transport vehicle.

(3) The outside of each drum must be plainly and durably marked "DOT-E 14153" as required in § 172.301(c).

(3) The contents of the transport vehicle must be sealed after loading.

b. OPERATIONAL CONTROLS -

(1) The one-way transportation will be by a contract carrier with a satisfactory safety rating.

(2) The shipment will originate in Harvey, LA and will

be transported to Mount Holly, NC.

(3) The material covered under this exemption must be shipped from one origin to one destination without any intermediate pickup or delivery, and may not contain any materials other than the material authorized by this exemption.

8. SPECIAL PROVISIONS: A current copy of this exemption must be maintained at the 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 the 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: Shipments or operations conducted

under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:

FEB 22 2005

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.

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.

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