U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 8489 (EXTENSION)
SIXTH REVISION October 17, 1991

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 8489 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to June 30, 1996. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.105. This extension constitutes a necessary part of this exemption and must be attached to it.

Suzanne Hedgepeth

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

AUG 24 1994
(DATE)

Dist: FHWA FRA USCG

| EXEMPTION HOLDER | APPLICATION DATE |
|---|---|
| FMC Corporation<br>Philadelphia, PA | June 14, 1994 |

ADVISORY

IF YOU ARE A HOLDER OF AN EXEMPTION THAT AUTHORIZES THE USE OF A PACKAGING WITH A MAXIMUM CAPACITY LESS THAN 450 L (119 GALLONS) OR A MAXIMUM NET MASS LESS THAN 400 KG (882 POUNDS), PLEASE BE ADVISED THAT YOUR EXEMPTION MAY NOT BE RENEWED BEYOND SEPTEMBER 30, 1996. IN ADDITION, NO NEW CONSTRUCTION OF PACKAGINGS WHICH FALL WITHIN THE NON-BULK CAPACITIES LISTED ABOVE ARE AUTHORIZED AFTER SEPTEMBER 30, 1994. THIS IS CONSISTENT WITH THE IMPLEMENTATION OF THE NEW PACKAGING REQUIREMENTS ADOPTED UNDER DOCKET HM-181. ANY APPLICATION SUBMITTED TO THIS OFFICE TO RENEW AN EXEMPTION BEYOND THE SEPTEMBER 30, 1996 DATE WILL BE DENIED UNLESS THE APPLICATION CONTAINS SUPPORTING INFORMATION TO JUSTIFY THE CONTINUATION OF THE EXEMPTION.

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

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

DOT-E 8489
(SIXTH REVISION)

OCT 17 1991

1. FMC Corporation, Philadelphia, Pennsylvania is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations specified in paragraph 5 below to offer packages prescribed herein of certain oxidizers, corrosive solids, and a poison B for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the shipment of certain oxidizers, a poison B, waste arsenical mixture, and a corrosive material in nonreusable collapsible polyethylene-lined, woven polypropylene bags having a capacity not exceeding 2200 pounds each, and provides no relief from any regulation other than as specifically stated. Each of the following is hereby granted the status of a party to this exemption:

Degussa Corporation, Teterboro, N. J. - PTE-1.

2. BASIS. This exemption is based on FMC Corporation's application dated February 15, 1990 submitted in accordance with 49 CFR 107.105 and supplemental letters dated March 4, and March 22, 1991 and the public proceeding thereon. The granting of party status is based on the following application submitted in accordance with 49 CFR 107.111 and 107.105 and the public proceeding thereon:

Degussa Corporation's application dated February 21, 1991.

3. HAZARDOUS MATERIALS (Descriptor and class). Sodium persulfate, Potassium persulfate, Ammonium persulfate, Ammonium nitrate fertilizer, Trichloro-s-triazinetrione, dry, and Calcium peroxide (not authorized for shipment by cargo vessel) classed as oxidizers; Waste arsenical mixture solid, n.o.s., classed as a poison B; Sodium sulfide (60% flake), and Para-nitro toluene sulfonic acid, classed as corrosive materials; and other corrosive solids, poison solids and oxidizer solids specifically identified to, and acknowledged in writing by, the Office of Hazardous Materials Exemptions and Approvals (OHMEA) prior to the first shipment.

4. PROPER SHIPPING NAME (49 CFR 172.101). Oxidizer, n.o.s.; Calcium peroxide; Arsenical mixture solid, n.o.s. preceded by the word, waste; Corrosive solid, n.o.s.; or the specific chemical name or generic commodity description, as appropriate.

5. REGULATION AFFECTED. 49 CFR 173.154, 173.182, 173.217, 173.245b.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, cargo vessel and rail freight.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a non-DOT specification, nonreusable, collapsible, flexible bulk bag. The bag is fabricated of woven polypropylene, incorporating woven-in polyester reinforcing webbing strips and nylon reinforcing bands, plus a lining of polyethylene (of 0.004- inch minimum thickness), and having a capacity not exceeding 2200 pounds (1000 kg.). Bag, prepared as for shipment, must be capable of satisfactorily withstanding: free- fall drop tests (four from a height of four feet); Vibration test; Elongation test; Puncture Resistance test; and Drag test; as described, and results of which are furnished, in Package Research Laboratory Report dated November 19, 1980.

8. SPECIAL PROVISIONS.

a. Persons who receive packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with, and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. A copy of this exemption must be carried aboard each vessel and motor vehicle used to transport packages covered by this exemption.

c. Shipments by highway must be in truckload lots only.

d. Shipment by rail must be in box cars except that COFC or TOFC service is authorized in accordance with 49 CFR 174.61.

e. When bulk bags are transported by vessel, the following additional special provisions apply:

i. Materials in Class 5.1 (Oxidizers) that are permitted by the IMDG to be transported without secondary protection may be carried as break-bulk cargo, provided-

(1) The hold or compartment is dry and thoroughly cleaned of all residue of previous cargo, and all loose debris and dunnage are removed.

(2) The hatches are inspected for watertightness before loading.

(3) The hold is free of sharp projections that could tear or puncture the bags.

(4) After the bags are unloaded, the hold or compartment is inspected for spillage and any residue removed.

ii. When any Class 5.1 material (Oxidizer) that is carried as break-bulk cargo is loaded or unloaded-

(1) Firehoses must be laid out in the loading or unloading area and must be operable at all times.

(2) Smoking, carrying matches or lighting devices, or performing hot work is prohibited in the loading or unloading area; and the area must be posted with warning signs.

f. Calcium peroxide is not authorized for shipment by cargo vessel.

g. Each bag must be permanently and durable marked, in accordance with the requirements of Section 172.331, in letters at least two inches high on a contrasting background. In addition, for shipments by vessel, the marking requirements of subsection 26.1.5 of the General Introduction to the IMDG Code are required. The use of labels, tags or signs for marking purposes is prohibited.

9. REPORTING REQUIREMENTS. Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable.

10. EXPIRATION DATE. February 28, 1992.

Issued at Washington, D.C. OCT 17 1991

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: USCG, FHWA, FRA.