U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

AUG 23 1994

DOT-E 10096
(SECOND REVISION)

1. Eka Nobel Elektrokemi AB, Stockholm, Sweden, (U.S. Agent: Eka Nobel Inc., Marietta, Ga.), is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer for transportation in commerce the packagings described herein, for the shipment of a Division 5.1 material, subject to the limitations and special provisions specified herein. This exemption authorizes the use of non-DOT specification multi-wall, plastic lined paper bags, palletized and shrink wrapped in plastic, and provides no relief from any regulation other than as specifically stated.
Reference to 49 CFR sections in this exemption are to regulations in effect on September 30, 1991.

2. BASIS: This exemption is based on Eka Nobel Elektrokemi AB's (formerly Alby-Klorat AB) application dated June 28, 1994, submitted in accordance with 49 CFR 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class). Potassium chlorate, classed as a Division 5.1.

4. PROPER SHIPPING NAME (49 CFR 172.101). Potassium chlorate.

5. REGULATION AFFECTED. 49 CFR 173.163.

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

7. SAFETY CONTROL MEASURES. Packaging prescribed is a non-DOT specification four-ply paper bag with a plastic lining. Maximum net weight per bag may not exceed 25 kg (55 pounds). Bags must be packed on a wooden pallet, with no more than 56 bags to a pallet, with a strong plastic bottom and plastic top, plus stretch plastic wrapping around the complete package, as described in the October 31, 1988 application. In addition, each bag must be capable of withstanding the following test without leakage of contents:

Two drops from a height of 1.2m (3.94 feet) onto a rigid, horizontal surface, one drop flat on a wide face of the bag and the second drop on an end of the bag.

8. SPECIAL PROVISIONS.

a. Completed shrink-wrapped pallets must be shipped in closed and sealed in 20 foot or 40 foot freight containers.

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

c. Each bag must be marked with letters and figures at least 1/2 inch high "DOT-E 10096".

d. 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.

e. No new construction of the packaging identified in paragraph 7 of this exemption is authorized after September 30, 1994. As the holder of this exemption, you may request a renewal to continue the use of the packaging manufactured prior to September 30, 1994. However, the exemption will not carry an expiration date subsequent to September 30, 1996 since use of the packaging is prohibited after that date. This is consistent with the transitional provisions of 49 CFR Section 171.14 and the implementation of the new packaging requirements adopted under Docket HM-181.

9. 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. (49 CFR 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

10. EXPIRATION DATE. June 30, 1996.

Issued at Washington, D.C.

AUG 23 1994

J. Suzanne Hedgepeth

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: 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.

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