U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 10251 (PTE)
ORIGINAL October 27, 1989
CORRECTED COPY

In accordance with 49 CFR 107.111 of the Department of Transportation (DOT) Hazardous Materials Regulations the party(ies) listed below is granted the status of party to DOT-E 10251. The expiration date of the exemption for the party(ies) is July 31, 1996.

This party status applies to the party(ies) listed below based on the application(s) submitted in accordance with 49 CFR 107.111 and the public proceeding thereon. All terms of the exemption remain unchanged. This authorization forms part of the exemption and must be attached to it.

OCT 31 1994

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

Dist: FRA

EXEMPTION HOLDER	APPLICATION DATE
Aztec Peroxides, Inc. Elyria, OH	August 26, 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.

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DOT-E 10251
(Corrected Copy)

1. Borden Packaging and Industrial Products, Columbus, Ohio, is hereby granted an emergency exemption from certain provisions of this Department's Hazardous Materials Regulations to offer a package prescribed herein of a flammable gas for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes a one-time shipment of a residue of vinyl chloride in DOT Specification 105A200W tank cars without head shields and thermal protection, and provides no relief from any regulations other than as specifically stated.

2. BASIS. This emergency exemption is based on Borden Packaging and Industrial Products' applications of June 28, September 5, and September 11, 1989, submitted in accordance with 49 CFR 107.113, and a serious economic loss and supplemental letter dated October 19, 1989.

3. HAZARDOUS MATERIALS (Descriptor and class). Vinyl chloride, classed as a flammable gas.

4. PROPER SHIPPING NAME (49 CFR 172.101). Vinyl chloride.

5. REGULATION AFFECTED. 49 CFR 173.314(c) and 179.106-3(c).

6. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

7. SAFETY CONTROL MEASURES. Packagings prescribed are DOT Specification 105A200W tank cars except for the required head shields and thermal protection. The following reporting marks are for the tank cars used in the one-time shipment.

ACFX 85414
ACFX 85417

8. SPECIAL PROVISIONS.

a. Shipments must be from Geismar, Louisiana to Houston, Texas and may not be offered for transportation without being retrofitted with the required tank head shields and thermal protection.

b. Each tank car must be marked with the "DOT-E 10251" on a contrasting background in four inch letters above the DOT specification number.

c. Persons who receive packages covered by this exemption may reship them pursuant to the provisions of 49 CFR 173.22a.

9. REPORTING REQUIREMENTS. Any incident involving loss of package contents or package failure must be reported to the Office of Hazardous Materials Transportation (OHMT) as soon as practicable.

10. EXPIRATION DATE. November 30, 1989

Issued at Washington, D.C.:

OCT 27 1989

Alan I. Roberts
Director
Office of Hazardous Materials
Transportation

Address all inquires to: Director, Office of Hazardous Materials Transportation, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590.
Attention: Exemptions Branch

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