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

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

DEC 19 1997

DOT-E 12017

EXPIRATION DATE: **March 31, 1998**

1. GRANTEE: A.H. Marks & Company Limited
West Yorkshire, United Kingdom
(U.S. Agent: Suttons International, Edison, NJ)

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time, one-way transportation in commerce of the toxic liquid described in paragraph 6 in a DOT Specification IM 101 portable tank equipped with bottom outlets. This exemption provides no relief from any regulation other than as specifically stated herein.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 172.102(c)(7)(i), T15 in that a DOT Specification IM 101 with bottom outlets is authorized.

5. BASIS: This emergency exemption is based on the application of A.H. Marks dated December 15, 1997, submitted in accordance with 49 CFR 107.117 and a determination that is necessary to prevent significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Toxic liquids, flammable, organic, n.o.s. (2,4-Dinitro 6 secondary butyl phenol in ethyl benzene)	6.1	UN2929	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING -Packaging prescribed is a DOT Specification IM 101 portable tank equipped with a bottom outlet which has three serially mounted means of closure; a test pressure of at least 4 bar; and is bearing owner's serial number SUTU104619/9.

b. OPERATIONAL CONTROLS - Transportation is limited to private motor carriage between New Orleans, LA and St. James, LA.

8. SPECIAL PROVISIONS: None as a requirement of this exemption.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle (private carrier).

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard the motor vehicle used to transport the package 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. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in 49 CFR 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 49 CFR 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the 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. (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 inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

DEC 19 1997

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, 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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