U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 8779 (EXTENSION)
ORIGINAL March 26, 1982

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 8779 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to October 31, 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

NOV 30 1994
(DATE)

Dist: FHWA

| EXEMPTION HOLDER | APPLICATION DATE |
|---|---|
| Borden Foundry and Industrial Resins<br>Westchester, IL | November 9, 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 8779

1. Acme Resin Corporation, Forest Park, Illinois, is hereby granted an exemption from those provisions of this Department's Hazardous Materials Regulations specified in paragraph 5 below to offer packages prescribed herein of poison B liquid for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the use of DOT 57 portable tanks for shipping phenol, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on the Acme Resin Corporation's application dated January 13, 1982, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Phenol, liquid classed as poison B material.

4. PROPER SHIPPING NAME (49 CFR 172.101). Phenol, Liquid or Solution, as appropriate.

5. REGULATION AFFECTED. 49 CFR 173.349.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a DOT-57 specification steel portable tank having 395 gallons nominal water capacity and at least 0.125 inch wall thickness, tested to at least 12 psig and equipped with bolted ring type closure. Tanks with bottom outlets must have such outlets closed with a plug or equipped with internal closing valves.

8. SPECIAL PROVISIONS.

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

b. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.

c. Each portable tank must be reinspected and retested once every 2 years in accordance with 49 CFR 173.32 as prescribed for DOT Specification 57 portable tank at at least 12 psig.

d. Each portable tank must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 8779."

9. REPORTING REQUIRMENTS. Any incident involving loss of contents of the package must be reported to the Office of Hazardous Materials Regulation as soon as practicable.

10. EXPIRATION DATE. March 15, 1984.

Issued at Washington, D.C.:

MAR 26 1982

(DATE)

Alan I. Roberts
Associate Director for
Hazardous Materials Regulation
Materials Transportation Bureau

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

Dist: FHWA.