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

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

DOT-E 9110 (PTE)
ORIGINAL January 19, 1984

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 9110. The expiration date of the exemption for the party(ies) is June 30, 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.

SEP 30 1994
(DATE)

J. Suzanne Hedgepeth
Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
AKZO Nobel Columbus, MS	July 28, 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 9110
(FIRST REVISION)

FEB 28 1997

1. Kerr-McGee Chemical Corporation, Oklahoma City, OK 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 an oxidizer for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes shipment of sodium chlorate in collapsible polyethylene-lined, woven polypropylene bags having capacities ranging from 20 to 40 cubic feet and provides no relief from any regulation other than as specifically stated. (See Appendix A for additional grantees.)

2. BASIS. This exemption is based on Kerr-McGee Chemical Corporation's application dated January 3, 1996, submitted in accordance with 49 CFR 107.109.

3. HAZARDOUS MATERIALS (Descriptor and class). Sodium chlorate, UN 1495, Division 5.1.

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

5. REGULATION AFFECTED. 49 CFR 173.240.

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

7. SAFETY CONTROL MEASURES. Packaging prescribed is a non-DOT specification collapsible flexible bag. The bag is fabricated of woven polypropylene with 4 mil polyethylene liner. Capacities of the bags range from 20 to 40 cubic feet and bags must be constructed in accordance with the specifications contained in Exhibit A submitted with the application. Bags, prepared 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 Reports 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. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.

d. Shipment by highway must be in truckload or containerload lots only.

e. Shipment by rail must be made in "DF" rail box cars except that COFC or TOFC service is authorized in accordance with 49 CFR 174.61. (Note: 49 CFR 174.84 prohibits "humping of involved COFC/TOFC rail cars).

f. Consistent with the regulations adopted under Docket HM-181E for intermediate bulk containers (IBCs), exemptions for IBCs of the type covered by those regulations will not allow new construction after September 30, 1996. Existing IBCs may be contained in service, provided renewal provisions under Section 107.105 are met, until September 30, 1998 under the conditions specified in the exemption that applies to their use. After September 30, 1998, each IBC must conform to, and be certified as meeting, a UN IBC standard set forth in Subparts N and O of Part 178 of the Hazardous Materials Regulations (HMR; 49 CFR). A provision for approval of an equivalent IBC is specified in 49 CFR 178.801(i).

9. 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:

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

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.

10. 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 (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, or any incidents involving the package and shipments made under the terms of this exemption.

11. EXPIRATION DATE. September 30, 1998.

Issued at Washington, D.C.:

for Alan Mazzullo

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

2/28/97
(DATE)

Address all inquiries to: Associate Adminiatrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: DHM-31. D.C. 20590.

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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