U.S. Department
of Transportation

Research and
Special Programs
Administration

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

DOT-E 9590

APR 21 1987

1. Great Lakes Chemical Corp., West Lafayette, Indiana, 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 a liquid mixture containing a certain Class B poison for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the shipment of a liquid mixture containing 67.7% Chloropicrin, a Class B poison, in DOT specification 5B steel drums, not exceeding 33-gallon capacity, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Great Lakes Chemical Corporation's application dated January 23, 1986, and subsequent information dated December 11, 1986, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). "Chlor-O-Pic 70", a liquid mixture containing 67.7% by weight chloropicrin, classed as Poison B liquid.

4. PROPER SHIPPING NAME (49 CFR 172.101). Chloropicrin mixture;

5. REGULATION AFFECTED. 49 CFR 173.3a; 173.357(b)(2).

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed is DOT specification 5B steel drum, not exceeding 33-gallon capacity.

b. Each DOT Specification 5B drum must:

1. Be tested in accordance with 49 CFR 178.81-13 except that the hydrostatic test may be performed at a pressure of 40 psig in lieu of the cited 80 psig.

2. Pass a leakage test at a pressure of at least twice the pressure of the lading at 130°F.

3. Have closures closed to a torque prescribed by the closure manufacturer with tightness being measured by a device capable of measuring torque.

4. Have closures physically held in place by any means capable of preventing back-off or loosening of closure by impact or vibration during transportation.

5. Have closures that are provided with a secondary, tamper-evident cap seal that is properly applied in accordance with the cap seal manufacturer's recommendation, is capable of resisting 15 psig of internal pressure, and is incapable of removal from the closure without breaking or tearing.

8. SPECIAL PROVISIONS.

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

b. The following additional requirements apply to the transportation of materials requiring special packaging approval as specified in 49 CFR 173.3a.

1. This exemption serves as a special packaging approval under the provisions of 49 CFR 173.3a(a)(3).

2. For highway transportation, each motor carrier used to transport packagings authorized by this approval must have a safety rating, as assigned by the Office of Motor Carriers Safety Field Operations (OMCSFO), Federal Highway Administration, of "Satisfactory". Written verification of the safety rating for each motor carrier must be obtained at least once each year. A copy of the safety rating notification letter for each motor carrier, as received from (OMCSFO) must be submitted with the annual report required by this exemption.

3. When shipping packagings described in this exemption without a secondary overpack, the shipper must load the material, block and brace the material for transportation in accordance with a prepared plan which precludes stacking (double decking) and must seal the motor vehicle used. Shipments must be from one origin to one destination only. No intermediate pick-up or delivery is authorized.

4. When shipping overpacked packagings described in this exemption, the overpack must be an all 16 gauge steel drum conforming to 49 CFR 173.3(c), except "Salvage Drum" marking is not authorized. The inside packaging must be isolated from the overpack by a shock-mitigating, non-reactive material. There must be a minimum of two inches of cushioning material around the body of the inner packaging, and at least three inches on the top and bottom, between the inner packaging and outer drum.

5. In addition to the requirements of 49 CFR 171.15 and 171.16, the Exemptions Branch, Office of Hazardous Materials Transportation (OHMT) must be notified of any incident involving damage to the packaging or loss of contents of material shipped under this exemption.

6. The Exemptions Branch, OHMT shall be advised of the causes of the incident and any remedial action taken, as a result of the incident as soon as practical after its occurrence.

7. The Exemptions Branch, OHMT must be advised annually, within 30 days after the end of the calender year, of the shipping experience of material covered by this approval. Failure to comply may result in immediate suspension of this exemption.

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package must be reported to the OHMT as soon as practicable.

10. EXPIRATION DATE. February 28, 1989.

Issued at Washington, D.C.:

Richard C. Hannon APR 21 1987

for Alan I. Roberts (DATE)
Director
Office of Hazardous Materials Transportation

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

Dist: FHWA