DEC 23 1996

U.S. Department of Transportation

Research and Special Programs Administration

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

DOT-E 10916
(FOURTH REVISION)

1. Nalco Chemical Company, Naperville, Illinois, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations (HMS) to offer packages prescribed herein of certain hazardous materials for transportation specified herein. This exemption authorizes a DOT Specification 57 portable tank with a non-metallic discharge valve and secondary closure and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Nalco Chemical Company's application dated July 25, 1996, submitted in accordance with 49 CFR 107.109.

3. HAZARDOUS MATERIALS (Descriptor and class). Those hazardous materials authorized for shipment in a DOT Specification 57 portable tank.

4. PROPER SHIPPING NAME (49 CFR 172.101). The specific commodity name or generic description, as appropriate.

5. REGULATION AFFECTED. 49 CFR Part 107, Part 173 Subpart F, 178.251-2(a).

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

7. SAFETY CONTROL MEASURES. Packaging prescribed is a DOT Specification 57 portable tank manufactured from stainless steel which has been internally lined with polyethylene and is equipped with a polypropylene discharge ball valve and polypropylene secondary discharge opening closure.

8. SPECIAL PROVISIONS.

a. Persons who received 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. The outside of each package must be plainly and durably marked on two opposing sides "DOT-E 10916" in one inch high letters against a contrasting background.

c. A copy of this exemption must be carried aboard each cargo vessel used to transport packages covered by this exemption.

d. Consistent with the regulations adopted under Docket HM-181E for IBCs of the type covered by those regulations will not allow new construction after September 30, 1996. Existing IBCs may be continued in service, provided renewal provisions under 107.109 are met, unitl 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. 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.

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 unless a regulation has been amended making the exemption no longer necessary.

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 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 incidents involving the package and shipments made under the terms of this exemption.

11. EXPIRATION DATE. December 1, 1998.

Issued at Washington, D.C.:

Marilyn E. Morris

for Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

December 23, 1996
DATE

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. 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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