U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 11317

SEP 29 1994

EXPIRATION DATE: October 31, 1994

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Hoechst Celanese Corporation
Charlotte, North Carolina.

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of certain non-DOT specification metal drums containing corrosive liquids. 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 Sections 173.202, 173.203.

5. BASIS. This exemption is based on Hoechst Celanese's application dated August 17, 1994, and additional information dated September 2 and September 8, 1994, submitted in accordance with 49 CFR 107.113 and a determination that it is necessary to preclude serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
Corrosive liquid, flammable, n.o.s. (Calcium dodecylbenzene sulfonate, isobutyl alcohol)	8	UN 2920	II
Corrosive liquid, n.o.s. (Phosphoric acid, alcohols C10-C16 ethoxylated phosphated)	8	UN 1760	III

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification removable head steel drum meeting the standards of Uniform Freight Classification Rule 40, and as described in the petitioner's letter of September 8, 1994.

b. Drums must be transported in Hoechst Celanese closed van trailers by Hoechst Celanese drivers trained in the safe handling of hazardous materials. Drums may not be stacked. Shipments are authorized only to return approximately 64 filled drums from warehouses and distributors to the Hoechst Celanese plant in Mt. Holly, North Carolina.

8. SPECIAL PROVISIONS. Hoechst Celanese must comply with all other applicable requirements contained in 49 CFR Parts 171-180.

9. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each motor vehicle used to transport packages 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 Federal hazardous materials transportation laws:

- 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.

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

Issued at Washington, D.C.:

SEP 29 1994
(DATE)

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

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.

Dist: FHWA