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

APR 30 1997

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

DOT-E 11669
(FIRST REVISION)

EXPIRATION DATE: **November 1, 1998**

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Novartis Corporation, Greensboro, NC

2. PURPOSE AND LIMITATION: This exemption authorizes the unloading of anhydrous ammonia from DOT Specification cargo tank motor vehicles without a person being in attendance and 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 177.834(i)(3) and (4).

5. BASIS: This exemption is based on Ciba-Geigy's application dated March 26, 1996, submitted in accordance with 49 CFR 107.105 and additional correspondence dated January 29, 1997.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Ammonia, anhydrous,	2.2	UN 1005	N/A

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - The hazardous material described in paragraph 6 must be transported in authorized DOT Specification cargo tank motor vehicles.

b. OPERATIONAL CONTROLS -

(1) The anhydrous ammonia must be unloaded under the supervision of employees of Novartis Corporation who are familiar with the product and with the proper procedures for its safe handling.

(2) Provisions of 177.834(i) shall be complied with except that paragraphs (3) and (4) shall be replaced with the following:

A person "attends" the loading or unloading of a cargo tank if the person is awake throughout the process, has an unobstructed view of the cargo tank, and has the capability to halt the flow of product. The attendance requirements may be met by either of the following:

(i) Physical attendance by a designated employee. If a facility is accessible to the general public, the designated employee must be within 7.62 meters (25 feet) of the cargo tank at all times and must have an unobstructed view of the cargo tank; or

(ii) A signalling system that includes remote shut-off equipment with either detection devices (such as sensors) or surveillance equipment (e.g., television monitors and video cameras), or both detection devices and surveillance equipment. The surveillance equipment may be monitored either in the immediate area of the cargo tank or from a remote location, such as a control room, within the facility. In the event of any malfunction of the signalling system, physical attendance is required as specified in paragraph (i)(3)(i) of this section. The signalling system must:

(A) provide a level of safety at least equivalent to physical attendance as specified in paragraph (i)(3)(i) of this section; and

(B) have the capability to provide immediate notification to the designated employee of any system malfunction or other emergency so that, if warranted, the product flow may be halted immediately.

8. SPECIAL PROVISIONS:

a. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements in 49 CFR Parts 171-180.

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b. This exemption applies only to the Novartis Corporation plant site at St. Gabriel, Louisiana.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: None as a requirement of 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 the Federal hazardous materials transportation law, 49 U.S.C. Section 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.

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.:

for Ann Mazzulli 4/30/97

Alan I. Roberts (DATE)
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.

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