JUL 1 - 1996

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

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

DOT-E 11710

EXPIRATION DATE: October 1, 1996

(FOR RENEWAL, SEE 49 CFR SECTION 107.105)

1. GRANTEE: Bayer Corporation
Pittsburg, PA

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of sodium in a non-DOT specification packaging under a positive pressure argon blanket. 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 Part 173.212 in that a non-DOT specification packaging is authorized.

5. BASIS: This exemption is based on the application of Bayer Corporation dated June 6, 1996, submitted in accordance with 49 CFR 107.113 and a determination that it is necessary to prevent or minimize a serous economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Sodium	4.3	UN1428	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. Packaging - Non-DOT specification non-bulk metal accumulator suitable for sodium and capable of maintaining a 3-4 psig internal pressure of argon gas. The metal vessel is constructed of at least 3/8 inch carbon steel as depicted in H.C. Starch drawing D-3116-2056 on file with the Office of Hazardous Materials Exemptions and Approvals.

b. Routing - Shipments are authorized only on a direct route between the origin, Newton, MA and destination, in Clarence, NY.

8. SPECIAL PROVISIONS.

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

c. Marking - The container must be marked on two opposing sides with "DOT-E 11710" in two inch letters on a contrasting background.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight.

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 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.:

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

7/1/96
(DATE)

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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