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

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

FEB 27 1997

DOT-E 11801

EXPIRATION DATE: June 30,1997

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Wacker Silicones Corporation
Adrian, MI

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain Toxic solids, inorganic, n.o.s., in packagings not authorized in 49 CFR and not properly marked and labeled, subject to the limitations and special requirements specified herein. 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 172.301; 172.400; 173.212; 173.213, except as specified herein.

5. BASIS: This exemption is based on the application of Wacker Silicones Corporation dated November 25, 1996, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Toxic solid, inorganic, n.o.s.(hydrophobic amorphous fumed silica)	6.1	UN 3288	II
Toxic solid, inorganic, n.o.s. (amorphous fumed silica)	6.1	UN 3288	III

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Two-ply paper bags with a plastic liner bonded to the inner ply. Each bag contains either 10 or 15 kg of material and is sealed by means of an adhesive.

b. Except for the use of non-authorized packagings, packages must conform to the general requirements of subpart B of Part 173.

c. Each pallet must be labeled with the POISON label, and marked with the proper shipping name, UN identification number and DOT-E 11801. Labels and markings must be applied to two opposite sides.

b. OPERATIONAL CONTROLS:

(1) Not more than 1800 bags may be transported. Bags must be shrink-wrapped on pallets, with not more than 30 bags per pallet. Not more than 60 pallets may be transported.

(2) This exemption authorizes transportation only in a closed van trailer operated by Wacker between its warehouse and the manufacturing facility a distance of about two miles.

8. SPECIAL PROVISIONS: None as a requirement of this exemption.

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 the Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq: terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- 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.

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

Issued at Washington, D.C.:

FEB 27 1997

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(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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