U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

OCT 6 1997

DOT-E 11974

EXPIRATION DATE: October 15, 1997, or upon completion of one shipment, whichever occurs earlier.

1. GRANTEE: Laidlaw Environmental Services
Columbia, South Carolina

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of fifty grams of a forbidden material, tetraethylammonium perchlorate, in the same package with solid oxidizers packaged in accordance with the provisions of 49 CFR 173.12(b). 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 173.12(b)(1), 173.12(b)(2)(iii), and 173.21(a).

5. BASIS: This emergency exemption is based on the application of Laidlaw Environmental Services dated October 3, 1997, submitted in accordance with 49 CFR 107.117 and a determination that it is necessary to prevent injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Tetraethylammonium perchlorate	N/A	N/A	N/A
Oxidizing solid, n.o.s.	Div. 5.1	UN 1479	II

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

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

DOT-E 11975
(SECOND REVISION)

EXPIRATION DATE: **November 30, 1999**

1. GRANTEE: Solutia Inc.,
St. Louis, Missouri

2. PURPOSE AND LIMITATIONS: This exemption authorizes the shipment of a Division 4.3 material specified in paragraph 6 below, in non-DOT specification water-tight, sift-proof hopper trucks, and provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Part 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Part 172.101, Special Provision B59 and 173.242, in that hopper trucks are not authorized.

5. BASIS: This exemption is based on Solutia Inc.'s, application dated November 25, 1997, submitted in accordance with 49 CFR 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials authorized --proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Phosphorous pentasulfide	4.3	UN1340	II

7. PACKAGING and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification water-tight, sift-proof, closed top metal hopper truck. Maximum capacity of vehicle is 1650 cubic feet.

(1) All materials of construction and their appurtenances shall not be subject to destructive attack by the contents of the vehicle.

(2) Closures shall be adequate to prevent leakage of the contents under normal conditions of transportation.

(3) Gasketed closures shall be fitted with gaskets of efficient material which will not be deteriorated by the contents of the container.

(4) The vehicle minimum design operating pressure must be equal to 150% of the maximum loading or unloading pressure, (whichever is higher) but not less than 15 psig.

b. TESTING -

(1) Qualification testing must consist of hydrostatic or pnuematic testing at 150% of design pressure, but not less than 22.5 psig.

(2) Vehicles must be annually reinspected and retested to 1.5 times the design pressure, but not less than 15 psig.

c. OPERATIONAL CONTROLS -

(1) Phosphorous pentasulfide may only be transported when covered with a 5-10 psi nitrogen blanket.

(2) Maximum loading or unloading presure must not exceed 10 psig.

(3) Each vehicle must be visually inspected prior to shipment to ensure no damage occurred during loading.

8. SPECIAL PROVISIONS:

MARKING - Each hopper trailer must be plainly marked on the curb side near the front, in letters at least two inches high on a contrasting background, "DOT-E 11975".

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 the material 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.

Each "Hazmat employee", as defined in 49 CFR 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by 49 CFR 172.700 through 172.704.

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 17.15 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 the exemption.