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

JUN - 8 2000

DOT-E 12486

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

EXPIRATION DATE: November 30, 2000

1. GRANTEE: International Paper
Griffin, GA

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the manufacture, mark, sale and use of 20,900 UN5H4 bags that have been mis-marked with the incorrect year of manufacture and the incorrect UN identification number for the material they will contain. This exemption provides no relief from any regulation other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.203(a) in that the exemption number marking on the shipping paper is waived; 172.301(a)(1) in that the UN identification number is mis-marked on the bag for the material being shipped; § 172.302(c) in that the marking requirement of the exemption number on each non-bulk package is waived; and § 178.503(a)(6) in that the year of manufacture is mis-marked on the bags.

5. BASIS: This emergency exemption is based on the application of International Paper dated June 6, 2000, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper shipping name -- Hazardous materials description	Hazard Class/ Division	Identi-fication Number	Packing Group
Ammonium nitrate fertilizers	5.1	NA2072	III

7. SAFETY CONTROL MEASURES: Packagings prescribed are 20,900 plastic film bags, marked UN5H4/Z23/S/99/USA/M4615, which conform to the applicable requirements of Subparts L and M of Part 178 except § 178.503(a)(6) where the bag marking for the year of manufacture is printed "99" instead of "00". In addition, the UN identification number for "ammonium nitrate fertilizers" is mis-marked on the bags as "UN1942" instead of the required "NA2072".

8. SPECIAL PROVISIONS:

a. The packaging marking relief of this exemption applies to the 20,900 UN5H4 bags manufactured and certified by International Paper, Griffin GA, lot number 10-21301-01.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. MARKING - The marking requirements of §§ 172.203(a) and 172.301(c) are waived.

d. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

e. A person who is not a holder of this exemption, but receives a package covered by this exemption, may reoffer it for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this exemption and the HMR.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: None, other than as required by the HMR.

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. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 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 §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this 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. (Sections 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 in Washington, D.C.:

JUN - 8 2000

Robert A. McGuire
Acting Associate Administrator
for Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, 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.

PO: AM