U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUL 2 8 2004

DOT-E 13339

EXPIRATION DATE: June 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: ExxonMobil Chemical Company
Mont Belvieu, TX

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the one-way, one-time transportation in commerce of three certain non-DOT specification portable tanks containing pyrophoric solids. This exemption provides no relief from the Hazardous Materials Regulations (HMR) 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 § 173.242 in that a non-DOT specification portable tank is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of ExxonMobil Chemical Company dated November 20, 2003 and supplemental information dated March 5, 2004 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101): JUL 2 8 2004

Hazardous Material Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Pyrophoric organometallic compound, water-reactive, n.o.s.	4.2	UN3203	I
Pyrophoric solid, inorganic, n.o.s.	4.2	UN3200	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The authorized packagings are three non-DOT specification portable tanks marked with exemption number DOT-E 11970. Tank numbers are V-06507, V-6505 and V-06523.

b. OPERATIONAL CONTROLS -

(1) The 1" bottom ball valve must be plugged and protected from side impact during transportation.

(2) A dry nitrogen blanket of 22 psig must be provided for transportation of pyrophoric solid material.

8. SPECIAL PROVISIONS:

a. This exemption authorizes the one-way, one-time transportation of three non-DOT specification portable tanks identified on paragraph 7.a. above.

b. Tanks have been previously marked with exemption number DOT-E 11970. This one-time transportation requires no change in marking or additional marking.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current 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. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- 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 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. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder 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.:

JUL 2 8 2004

Date

Robert A. McGuire
Associates 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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions. Photo reproductions and legible reductions of this exemption are permitted. Any alter ation of this exemption is prohibited.

PO: PTO