U.S. Department
of Transportation

**Research and
Special Programs
Administration**

OCT 18 1994

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

DOT-E 6874
(TENTH REVISION)

1. ICI Americas Inc., Wilmington, Delaware is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of certain Division 6.1 Materials for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transport of sodium and potassium cyanides in non-DOT specification wooden boxes with an inner bulk bag, and provides no relief from any regulation other than as specifically stated. **NOTE: Reference to 49 CFR sections in this exemption are to regulations in effect on September 30, 1991**. Each of the following is hereby granted the status of party to this exemption:

Degussa Corporation, Teterboro, New Jersey - PTE-1
Mining Services International, Inc., Salt Lake City, UT. PTE-2

2. BASIS. This exemption is based on ICI Americas Inc.'s application dated July 6, 1994, submitted in accordance with 49 CFR 107.105. The granting of party status is based on the following applications submitted in accordance with 49 CFR 107.111 and the public proceeding thereon and 107.105:

Degussa Corporation's application dated July 15, 1994.
Mining Services International, Inc.'s application dated August 10, 1994.

3. HAZARDOUS MATERIALS (Descriptor and class). Sodium cyanide, solid, potassium cyanide, solid, and mixtures of sodium cyanide and potassium cyanide, solid; classed as Division 6.1 Materials.

4. PROPER SHIPPING NAME (49 CFR 172.101). Sodium cyanide, solid, or potassium cyanide, solid, or sodium cyanide and potassium cyanide mixture, solid; as appropriate.

5. REGULATION AFFECTED. 49 CFR 173.370(a)(13), 172.101.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight and cargo vessel.

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed is a strong non-DOT specification 1/4" thick plywood box measuring approximately 45" X 45" X 43 1/2" on a pallet base having an inside 10-mil polyethylene liner or a 2000 denier woven polypropylene bag with an inner 10-mil polyethylene liner and containing not more than 2,204 net pounds (1,000 Kg). of product. Each box must be of riveted construction and must contain vertical inner bracing at each of the four corners.

Each box must be securely closed with steel bands of 3/4" minimum width or polyester straps of 1/2" minimum width. Securement must be applied as four bands of straps applied singly, or as two bands or straps, each doubled over itself.

b. Alternatively, packaging is prescribed as a strong non-DOT specification 12mm (0.472 inch) thick plywood box measuring approximately 1150mm (45.28 inches) X 1124mm (44.25 inches) X 1100mm (43.31 inches), on a pallet base, having an inside packaging. The inside packaging consists of a 0.1mm (0.0039 inch) polyethylene bag with an inner 1700 denier woven polypropylene bag having a thickness of 0.6mm (0.0236 inch). The inner polypropylene bag has two or four lifting loops and contains not more than 2,000 net pounds of product. Each box must be of riveted construction and is securely closed with not less than three 19mm (0.75 inch) wide X 0.5mm (0.0196 inch) thick steel bands.

c. Packaging prescribed is a strong non-DOT specification 1/4" thick plywood box measuring approximately 45" X 45" X 43 1/2" on a pallet base having an inside 10 mil polyethylene liner or a 2,000 Denier woven polypropylene bag with an inner 10 mil polyethylene liner and containing not more that 2,204 net pounds (1,000 Kg) of product. Each box must be of riveted construction and must contain vertical inner bracing at each of the four corners. Each box must be securely closed with steel bands of 3/4" minimum width, or polyester straps of 1/2" minimum width. Securement must be applied as four bands or straps applied singly, or as two bands or straps, each doubled over itself. Each packaging as prepare for shipment must be capable of successfully withstanding a six foot drop test flat on the bottom and a six foot drop test on a bottom corner without any release of lading.

d. Packaging prescribed is either a strong non-DOT specification 1/4" thick plywood box or a 3/8" thick plywood box measuring approximately 45" X 45" X 38" on a pallet base having an overall height of approximately 42" containing an inside 10-mil polyethylene liner or a 2000 denier woven polypropylene bag with an inner 10-mil polyethylene liner and containing not more than 2,204 pounds (1000 kgs) net product. Each box must be of riveted or stapled construction and securely closed with not less than four 3/4" steel bands. Each packaging as prepared for shipment must be capable of successfully withstanding a six foot drop test flat: on the bottom (pallet); on the top; and on any side and a six foot drop test on a top corner without any release of lading.

8. SPECIAL PROVISIONS.

a. Persons who receive 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. A copy of this exemption must be carried aboard each vessel used to transport packages covered by this exemption.

c. Shipments are authorized only in full containerized lots or in water tight metal-bodied covered motor vehicle, when there are no packages of any other materials on the vehicles.

d. 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 100 through 180.

e. **No new construction of the packaging identified in Paragraph 7 of this exemption is authorized after September 30, 1994. As the holder of this exemption, you may request a renewal to continue the use of the packaging, manufactured prior to September 30, 1994, however, the exemption will not carry an expiration date subsequent to September 30, 1996 since use of the packaging is prohibited after that date. This is consistent with the transitional provisions of 49 CFR Section 171.14 and the implementation of the new packaging requirements adopted under Docket HM-181.**

9. 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

10. EXPIRATION DATE. August 1, 1996.

Issued at Washington, D.C.:

OCT 18 1994

J Suzanne Hedgepeth

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, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Program.

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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