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

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

JAN 18 2002

DOT-E 8943
(FOURTH REVISION)

EXPIRATION DATE: December 31, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: BASF Corporation
Mount Olive, New Jersey

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain Division 4.1 materials (polyol filter cake) in non-specification packagings. 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. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.240 in that the packaging is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of BASF Corporation dated November 1, 2001 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101): JAN 18 2002

| Proper Shipping Name/ Hazardous Materials Description | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Flammable Solids, organic, n.o.s. | 4.1 | UN1325 | III |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is an open top, metal cargo carrying box of approximately 35,000 pounds loading capacity and lined with 8 mil polyethylene which after completion of loading is folded over the filter cake. The metal box is covered with a tarpaulin. The covered metal box is winched aboard a trailer frame and becomes the truck body.

b. OPERATIONAL CONTROLS - The polyol filter cake must be wetted down with water to cool the temperature below 200°F. before shipment.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this exemption and the HMR.

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 cargo carrying body of the motor vehicle must be plainly marked on the right side, near the front, in letters at least two inches high on a contrasting background, "DOT-E 8943".

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.

    - 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.:

JAN 18 2002

(DATE)

for Robert A. McGuire
Associate 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 alteration of this exemption is prohibited.

PO: KFW