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

MAR 24 1999

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

DOT-E 9381
(FOURTH REVISION)

EXPIRATION DATE: **February 28, 2001**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Western Zinc Corporation
Los Angeles, CA

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of a water reactive solid, which evolves hydrogen slowly when wet, in open packagings such as drums, hopper trucks and gondola cars. 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 § 173.242.

5. BASIS: This exemption is based on the application of Western Zinc Corporation dated February 1, 1999, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Water-reactive solid, n.o.s.	4.3	UN2813	II, III

For the N.O.S. entries above, the requirements of § 172.203(k) must be met.

7. PACKAGING AND SAFETY CONTROL MEASURES: Packagings are open drums, open-topped gondolas, open-top hopper trucks and box cars with doors secured in a partially open position.

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 modifications or changes are made to the packages 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. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.

d. The commodity may not be loaded during or shortly after rain.

e. After loading, the commodity must be examined to determine whether any heat was generated during loading; if so, it must be held until the temperature does not exceed 100°F.

f. In addition to placards required by § 172.504, railroad cars and motor vehicles must be marked on each side as follows:

"CAUTION ZINC SKIMMINGS
Zinc die cast skimmings may release flammable hydrogen gas when wet. Keep open flames away from car at all times. Do not add water or store where gas may accumulate in unventilated areas. When heat is generated allow cooling to 100°F or less and keep away from combustible materials.

If questions or problems arise, call Western Zinc Corp. at (213) 935-5900 or (310) 546-5080."

g. On straight Bills of Lading, the following warning shall be typed:

"Any metallic zinc in this material may react with moisture to form hydrogen gas, a flammable gas.

Hydrogen may reach explosive concentration in air when not ventilated. To avoid all possible risk, keep transport vehicles well-ventilated at all times. Keep all open flames and sparks away. Call (213) 935-5900 or at night (310) 546-5080 if problems arise."

h. When open drums are shipped, they must go from point of origin to destination without transfer from one vehicle to another.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard 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 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(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

Ann Mazzullo 3/24/99

Alan I. Roberts (DATE)
Associate Administrator
for Hazardous Materials Safety

MAR 24 1999

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.

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.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

Dist: FRA, FHWA
PO: alb