



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

MAY 16 2003

DOT-E 9689
(SEVENTH REVISION)

EXPIRATION DATE: December 31, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. **GRANTEE:** Lyndell Chemical Company
Houston, TX
(Former grantee: Air Products and Chemicals, Inc.)

(See Appendix A to this document for a list of additional grantees)

2. **PURPOSE AND LIMITATION:**

- a. This exemption authorizes the transportation in commerce of certain dense or heavy materials such as toluene diisocyanate, and other hazardous materials not exceeding 12.09 pounds per gallon, to be secured against movement in a freight container or transport vehicle by the use of fabric restraint dunnage system when shipped by cargo vessel. This exemption provides no relief from any 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 § 172.203(a) in that marking the exemption number on the shipping paper is waived; § 172.301(c) in that marking the exemption number on the package is waived; and § 176.76(a)(4).
5. **BASIS:** This exemption is based on the application of Lyondell Chemical Company dated January 15, 2002, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
All hazardous materials having a density of 12.09 pounds per gallon or less (Specific Gravity: 1.45) and which are authorized to be packaged in DOT Specification or Exemption drums made of a metal or plastic and have a capacity of 55 gallons.	As appropriate	As appropriate	As appropriate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are drums, authorized for the material being shipped, made of metal or plastic and of 55 gallon capacity. Drums, when transported in a freight container or transport vehicle, must be securely restrained from movement by a fabric restraint dunnage system as described in Olin Corporation's letter of October 22, 1986. The fabric restraint dunnage system must be installed properly in conformance with the manufacturers' printed instructions submitted with Olin's application of October 22, 1986.

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 package 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. The holder of this exemption and each party to the exemption must ensure that the person who installs the fabric restraint dunnaging system has a copy of the manufacturers' printed instructions referred to in Paragraph 7.

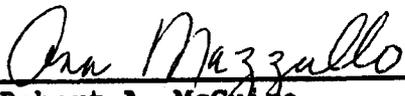
9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel used to transport packages covered by this exemption.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o 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 incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAY 16 2003

(DATE)

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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: sln

SEP 1 2004

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Equistar Chemicals, LP Houston, TX	Dec 12, 2003	Mar 01, 2004	Dec 31, 2004
Evans Harvey Corp., LLC Harvey, LA	Jul 29, 2004	SEP 1 2004	Dec 31, 2004
The Angus Chemical Company Midland, MI	Oct 22, 2003	Oct 31, 2003	Dec 31, 2004

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 Associate Administrator for
 Hazardous Materials Safety