



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

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

**DEC 12 2003**

DOT-E 11263  
(SIXTH REVISION)

**EXPIRATION DATE: November 30, 2005**

(FOR RENEWAL, SEE 49 CFR § 107.109.)

1. GRANTEE: Members of the American Coke and Coal Chemicals Institute  
Washington, DC

(See Appendix A of this exemption for a list of members)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of solid coal tar pitch compounds, Class 9, in open-top and closed-top sift-proof metal cans or fiber drums. 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 § 173.213(c) in that non-DOT specification single packagings are authorized.
5. BASIS: This exemption is based on the application of American Coke & Coal Chemicals Institute dated November 24, 2003, submitted in accordance with § 107.109 and a supplemental letter dated December 3, 2003.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Environmentally hazardous substances, solid, n.o.s./ Solid coal tar pitch compounds	9	UN3077	III

7. SAFETY CONTROL MEASURES:a. PACKAGING - Packaging prescribed is:

(1) A non-DOT specification sift-proof, non-bulk, metal can, with or without a lid; or

(2) A non-DOT specification sift-proof, non-bulk, fiber drum, with or without a lid. The drum must be fabricated with a three ply wall as a minimum.

b. OPERATIONAL CONTROLS - The coal tar pitch compound must be in a solid mass during transportation.

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. MARKING - Each metal can and fiber drum must be marked "DOT-E 11263" in letters and numbers at least one-half inch high on a contrasting background.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.
10. MODAL REQUIREMENTS: None required as part of this exemption.
11. 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 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.:



Robert A. McGuire  
Associate Administrator  
for Hazardous Materials Safety

DEC 12 2003

(DATE)

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: DBURGER/sln

APPENDIX A

Honeywell International, Incorporated  
Morristown, NJ

Coopers Creek Chemical Corporation  
West Conshohocken, PA

Koppers Industries, Incorporated  
Pittsburgh, PA

Reilly Industries, Incorporated  
Indianapolis, IN

Railworks Woods Products, Inc.  
Terra Haute, IN