



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

OCT 6 2004

DOT-E 11318
(SEVENTH REVISION)

EXPIRATION DATE: August 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Akzo Nobel Chemicals Inc.
Chicago, IL
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the continued transportation in commerce of certain uninsulated DOT Specification 51 portable tanks that are currently authorized for the material identified in paragraph 6 below, except that the portable tanks do not meet the provisions of Section 172.101 Special Provision B14. 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 § 172.102 in that the DOT specification 51 portable tanks authorized under this exemption do not meet the requirements in Special Provision B14.
5. BASIS: This exemption is based on the application of Akzo Nobel Chemical Inc. dated September 10, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication	Packing Group
*Corrosive liquids, toxic, n.o.s.	8	UN2922	II
Titanium tetrachloride	8	UN1838	II
Toxic liquid, corrosive, inorganic, n.o.s.	6.1	UN3289	I

*Applicable only for shipments offered for transport by vessel, in accordance with IMDG Code and § 171.12(b).

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - Prescribed packagings are the uninsulated DOT Specification 51 portable tanks manufactured of ASTM A-516-GR70 carbon steel. The tanks have: a wall thickness of 0.500 inch; maximum allowable working pressure of 200 psig; and nominal water capacities of 250 or 430 gallons.
- b. TESTING - Each portable tank must be tested, retested, and inspected as required for DOT Specification 51 portable tanks.
- c. Drivers must be trained and instructed to, when possible, move their vehicle away from the site of an accident involving a loss of fuel or fire, provided no lives will be endangered by moving their vehicle.
- d. Portable tanks authorized by this exemption must be transported in enclosed motor vehicles or in freight containers.

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.

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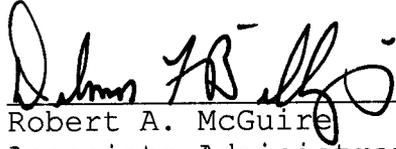
- b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.
- c. The portable tanks covered by this exemption must be marked "DOT-E 11318" on two sides in letters and numbers two inches high on a contrasting background in addition to the DOT Specification 51 marking.
- d. DOT Specification 51 portable tanks currently in the distribution chain are exempt from the required marking of paragraph 8.c above and the exemption reference on shipping papers until they are refilled.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.
10. MODAL REQUIREMENTS:
- a. A current copy of this exemption must be carried aboard each cargo vessel covered by this exemption.
- b. Each motor carrier involved with the transportation of the portable tanks authorized under the terms of this exemption must have a "Satisfactory" safety rating, as prescribed in 49 CFR.
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 Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - 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.:

DN


 Robert A. McGuire
 Associate Administrator for
 Hazardous Materials Safety

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 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: AM