



U.S. Department
of Transportation

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

**Research and
Special Programs
Administration**

MAY 26 2004

Dear Holders of DOT-E 11329:

Enclosed is the 9th revision of DOT-E 11329. A change to the exemption was made as a result of a request from the holder, by revising paragraph 7.b.(3) in order to authorize licensed pest control operators that are not distributors of the exemption holder to use the exemption. If you have any questions concerning this change, feel free to contact Diane LaValle of my staff at (202) 366-4535.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Ryan Posten'.

R. Ryan Posten
Exemptions Program Officer
Office of Hazardous Materials
Exemptions and Approvals



U.S. Department
of Transportation

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

MAY 26 2004

DOT-E 11329
(NINTH REVISION)

EXPIRATION DATE: September 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Degesch America, Inc.
Weyers Cave, VA

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

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of the materials described in paragraph 6 below in specially designed packages, by private motor vehicles without placards. 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 §§ 172.500, 172.504 and 172.506, except as specified herein.
5. BASIS: This exemption is based on the application of Degesch America, Inc. dated January 23, 2004, submitted in accordance with § 107.105 and public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):**MAY 26 2004**

Proper Shipping Name Hazardous Materials Description --	Hazard Class/ Division	Identi- fication Number	Packing Group
Aluminum phosphide	4.3	UN1397	I
Aluminum phosphide pesticides	6.1	UN3048	I
Magnesium phosphide	4.3	UN2011	I

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - The following packages are authorized under this exemption:

Combination packages consisting of:

i. Inner aluminum canisters with a capacity of 1.5 kg or less further packed in an outer 4G box. The completed box may not contain over 21 kg of hazardous material; or

ii. Inner aluminum canisters or sealed foil pouches with a capacity of 1.5 kg or less further packed in an outer packaging consisting of a UN1A2 drum, UN4A steel box, or UN4B aluminum box. No unsealed foil pouches may be transported. The completed outer packaging (which may contain a combination of canisters and pouches) may not contain over 21 kg of hazardous material.

b. OPERATIONAL CONTROLS -

(1) No more than 21 kilograms of aluminum phosphide or magnesium phosphide or combination thereof may be transported on a single motor vehicle at a time.

(2) The completed packages must be stowed in metal boxes or compartments on the motor vehicle.

(3) Only distributors of the exemption holders and licensed pest control operators may transport the packages covered under the terms of this exemption.

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(4) Only private motor vehicles used in pest control operations are authorized to transport the packages described in this exemption.

(5) Each canister and foil pouch and outer packaging must be labeled POISON and DANGEROUS WHEN WET; however, vehicles need not display DANGEROUS WHEN WET placards. Miniature labels (3/4" x 3/4") are authorized for inner canisters or foil pouches.

8. SPECIAL PROVISIONS:

a. The outside of each package must be marked "DOT-E 11329".

b. Drivers must have been instructed as to necessary safeguards and proper procedures in the event of unusual delay, fire or accident.

c. The use of exceptions for materials of trade under § 173.6 is prohibited under the terms and conditions of this exemption.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle.

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:

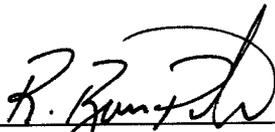
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required 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 incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



fa Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAY 26 2004
(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: dl

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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
Douglas Products & Packaging Company Liberty, MO	Nov 06, 2003	Feb 12, 2004	Sep 30, 2005
Shore Chemical Company, Inc. Turlock, CA	Aug 08, 2003	Oct 03, 2003	Sep 30, 2005



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAY 26 2004

Date