



U.S. Department
of Transportation

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

AUG 24 2004

**Research and
Special Programs
Administration**

DOT-E 11440
(EIGHTH REVISION)

EXPIRATION DATE: July 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: PPG Industries, Inc. (PPG)
Pittsburgh, Pennsylvania
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of certain Division 6.1 materials which are toxic by inhalation in polyethylene drums or composite packagings which are stacked. 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 § 172.203(a) in that marking the exemption number on the shipping paper is waived; § 172.301(c) in that marking the exemption number on each package is waived; and § 173.227(c) in that stacking drums within the transport vehicle or freight container is not authorized, except as specified herein.
5. BASIS: This exemption is based on PPG's application dated August 10, 2004, 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
Ethyl Chloroformate	6.1	UN1182	I, Hazard Zone B
Trimethylacetyl Chloride	6.1	UN2438	I, Hazard Zone B

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are as specified in § 173.227 for the materials listed above.

b. OPERATIONAL CONTROLS -

(1) Each drum or composite packaging authorized by this exemption must be transported in a 6.1 meter (20 ft.) steel freight container containing two layers of 36 drums or composite packagings. The freight container must be lined with 6.35mm (0.25 inch) thick plywood on the sides of the container and 12.7mm (0.5 inch) thick plywood on the ends, bottom and between layers of drums. Drums may be placed on plastic or wooden pallets prior to loading into the freight container. If wooden pallets are used there must be a double wall corrugated slipsheet between the deckboards of the pallet and the bottom of the drums. The use of pallets does not eliminate the requirement for plywood between the layers of drums.

(2) In addition, the freight container:

(i) must be loaded and blocked and braced in accordance with drawings submitted March 16, 1995, or January 29, 2001 on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA);

(ii) must be sealed by PPG after loading;

(iii) must be shipped from one origin to one destination without any intermediate pickup or delivery; and

(iv) may not contain any materials other than the material authorized by this exemption.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

b. The marking requirements in §§ 172.203(a) and 172.301(c) are waived.

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

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

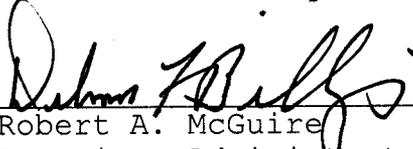
No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS:

a. 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.

b. The Office of Hazardous Materials Exemptions and Approvals must be advised of the causes of the incident and any remedial action taken, as a result of the incident as soon as practical after its occurrence.

Issued in Washington, D.C.:

for 
Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

AUG 24 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: DB/AM