

January 27, 2004



U.S. Department
of Transportation

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

**Research and
Special Programs
Administration**

DOT-E 11646
(FOURTH REVISION)

EXPIRATION DATE: December 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Barton Solvents, Inc.
Des Moines, IA

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

2. PURPOSE AND LIMITATION:

This exemption authorizes the discharge of certain Class 3, Division 6.1 and Class 9 liquids from a DOT specification drum or intermediate bulk container (IBC) without removing the drum or IBC from the vehicle on which it is transported. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 177.834(h) in that a drum or IBC is unloaded while on a motor vehicle; the marking requirements in §§ 172.203(a), 172.301(c) and 172.302(c).

5. BASIS: This exemption is based on the application of Barton Solvents dated October 15, 2003 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Compounds, cleaning liquid	3	NA1993	II & III
Environmentally hazardous sub- stances, liquid, n.o.s.	9	UN3082	III
Paint related material <i>including paint thinning, drying, removing, or reducing compound</i>	3	UN1263	II & III
Petroleum distillates, n.o.s. or Petroleum products, n.o.s.	3	UN1268	II & III
Trichloroethylene	6.1	UN1710	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT specification drums and IBCs specified in 49 CFR Part 173 for the materials listed in paragraph 6 above.

b. TESTING - Each IBC must be retested and inspected as specified in § 180.352. Each reused drum must meet the requirements of § 173.28.

c. OPERATIONAL CONTROLS -

(1) Product transfer must be through pumps mounted on the motor vehicle.

(2) The drums and IBCs must be attended at all times during unloading operations by a qualified person. For the purposes of this requirement, "attended" and "qualified" must have the meanings described in § 177.834(i)(3) and (4), respectively.

(3) Hoses may not be attached to container outlets during transportation.

(4) Drums and IBCs must not be manifolded together.

8. SPECIAL PROVISIONS:

The marking requirements in §§ 172.203(a), 172.301(c) and 172.302(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

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



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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: KFW/AM

January 27, 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
Bundit Vesta, MN	Sep 09, 2003	Sep 25, 2003	Jan 31, 2004
Hibrett Puratex Pennsauken, NJ	Nov 01, 2001	Feb 13, 2002	Jan 31, 2004
OilChem, Inc. Lincoln, RI	Sep 26, 2002	Oct 17, 2002	Jan 31, 2004
PFR Environmental Services, Inc. West Covina, CA	Jan 19, 2004	Jan 27, 2004	Dec 31, 2005



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety