



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

AUG 24 2004

DOT-E 11827
(TWENTY-THIRD REVISION)

EXPIRATION DATE: May 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Nippon Riku-un Sangyo Co., Ltd.
Tokyo, Japan
(US Agent: NRS Logistics Inc., White Plains, NY)

(See Appendix A to this exemption for additional grantees)
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of certain lined DOT Specification IM 101 portable tanks and UN standard UN 31A Intermediate Bulk Containers (IBCs) which are not subject to the internal visual inspections required by §§ 180.352(b)(3) or 180.605(c)(1). 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 §§ 180.352(b)(3) and 180.605(c)(1) in that internal visual inspection is not required.
5. BASIS: This exemption is based on the application of Nippon Riku-un Sangyo Co., Ltd., 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 |
| Ammonia solutions, relative density between 0.880 and 0.957 at 15°C in water, with more than 10% but not more than 35% ammonia | 8 | UN2672 | III |
| Ammonium Fluoride | 6.1 | UN2505 | III |
| Corrosive liquid, basic, organic, n.o.s. (tetramethylammonium hydroxide) | 8 | UN3267 | III |
| Hydrochloric acid, solution | 8 | UN1789 | II |
| Hydrofluoric Acid, solution | 8 | UN1790 | II |
| Hydrogen Peroxide, aqueous solutions with not less than 20% but not more than 40% hydrogen peroxide (stabilized as necessary) | 5.1 | UN2014 | II |
| Hydrogen Peroxide, aqueous solutions with more than 40% but not more than 60% hydrogen peroxide | 5.1 | UN2014 | II |
| Isopropanol or Isopropyl alcohol | 3 | UN1219 | II |
| Nitric Acid other than red fuming with not more than 70 percent nitric acid | 8 | UN2031 | II |
| Phosphoric acid, liquid | 8 | UN1805 | III |
| Sulfuric acid with more than 51% acid | 8 | UN1830 | II |
| Tetramethylammonium hydroxide | 8 | UN1835 | II |

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7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are:

- (1) Fluoroclad PTFE lined UN standard IM 101 portable tanks or UN31A Intermediate Bulk Containers.
- (2) All tanks and IBCs must be in dedicated service.
- (3) Each tank used under this exemption must be identified in writing to the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

b. TESTING -

(1) Each portable tank must be tested and inspected as specified for DOT IM 101 portable tanks in § 180.605(c) except that the internal visual inspection is waived. In lieu of opening the tanks for internal inspection, the lining inspection procedure recommended by Nisshin Gulf Coast, Inc. or Nisshin Corporation (lining installers) on file with the OHMEA must be followed. The procedure is summarized as follows:

(i) Collect analysis data for Fe contamination of the last five loadings of the portable tank as measured by ICP-MS or GFAA.

(ii) Compare these values to the Fe contamination levels of the chemical before it was introduced to the portable tank.

(iii) If the after-filling contamination levels are 50 ppb or greater than the corresponding values before-filling, a defect in the tank lining is indicated. If the exterior valves, piping, etc. used to load the tank are free from defects, and any other possible sources of contamination have been eliminated, the tank lining must be inspected visually and by spark testing.

(2) Each IBC must be tested and inspected as specified for UN 31A IBCs in § 180.352(b) except that the internal visual inspection is waived. In lieu of opening the tanks for internal inspection, the lining inspection procedure recommended by Sun Floro Systems

Co., Ltd. (lining installers) on file with the OHMEA must be followed. The procedure is summarized as follows:

(i) Collect analysis data for Fe contamination of the last five loadings of the portable tank as measured by ICP-MS or GFAA.

(ii) Compare these values to the Fe contamination levels of the chemical before it was introduced to the IBC.

(iii) If the after-filling contamination levels are 50 ppb or greater than the corresponding values before-filling, a defect in the IBC is indicated. If the exterior valves, piping, etc. used to load the tank are free from defects, and any other possible sources of contamination have been eliminated, the IBC must be inspected visually and by spark testing.

c. OPERATIONAL CONTROLS - The exemption holder must maintain records of product contamination for each shipment, as described above. The analysis of product contamination must be completed before the tank or IBC is refilled and, in any case, within 15 days after the lading is unloaded. Records of contamination analysis must be retained for at least the five most recent shipments.

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. MARKING - Each portable tank or IBC must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 11827".

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

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

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or 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 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: 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
607 Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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(DATE)

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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.

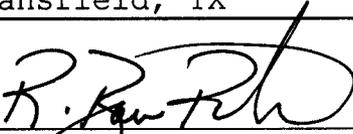
Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: sln

SEP - 3 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 |
|--|---------------------|---------------------|--------------------|
| Blue Express Inc. Osaka, JP (U.S. Agent: NRS Logistics, Inc. White Plains, NY) | Aug 9, 2004 | Aug 24, 2004 | May 31, 2006 |
| Kanto Corporation Portland, OR | Aug 27, 2004 | SEP - 3 2004 | May 31, 2006 |
| Merck Electronic Chemical Ltd. Taoyuan, Taiwan (Former Grantee: Merck Kanto Advanced Chemical Ltd.) (U.S. Agent: NRS Logistics, Inc. White Plains, NY) | Jul 31, 2004 | Aug 24, 2004 | May 31, 2006 |
| Moses Lake Industries, Inc., Moses Lake, WA | Apr 6, 2004 | Apr 21, 2004 | Oct 31, 2004 |
| OHKA America, Inc. Hillsboro, OR | Jun 17, 2004 | Jun 22, 2004 | May 31, 2006 |
| Solvay Chemicals, Inc. Houston, TX (Former Grantee: Solvay Interox, Inc.) | Aug 23, 2004 | SEP - 3 2004 | May 31, 2006 |
| Texas Ultra Pure, Inc. Mansfield, TX | Nov 05, 2002 | Dec 12, 2002 | Oct 31, 2004 |



Robert A. McGuire

FA Associate Administrator for
Hazardous Materials Safety