



U.S. Department
of Transportation

Research and
Special Programs
Administration

400 Seventh Street, S.W.
Washington, D.C. 20000

APR 1 2004

DOT-E 12879
(SECOND REVISION)

EXPIRATION DATE: September 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Millennium Specialty Chemicals
Jacksonville, FL

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

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation of Intermediate Bulk Containers (IBCs) containing combustible liquid without placards or identification numbers on the IBCs, provided they are consolidated in freight containers that are sealed and consigned for export and the freight containers are properly marked and placarded. 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 §§ 172.331 in that identification numbers must be marked on IBCs and 172.504 and 172.514 in that IBCs must be placarded, except as provided herein.

5. BASIS: This exemption is based on Millennium Specialty Chemicals' application of January 16, 2004, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Combustible liquid, n.o.s.	Combust- ible	NA1993	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging must be IBCs as authorized in the HMR further packed in a closed, sealed, freight container.

b. OPERATIONAL CONTROLS -

(1) Each IBC covered by this exemption, is not required to be placarded "COMBUSTIBLE" nor be marked with the identification number "1993" when packed in closed, sealed, freight containers that are properly marked and placarded.

(2) Each freight container must be sealed and consigned for export only and may not be opened in the United States, except under emergency circumstances.

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. 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, rail freight and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried on board each motor vehicle and cargo vessel used to transport the hazardous materials covered by this exemption.

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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 at Washington, D.C.:

Robert A. McGuire

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

APR 1 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
Air Products & Chemicals, Inc. Allentown, PA	Oct 13, 2003	Oct 28, 2003	Sep 30, 2005
ATOFINA Chemicals, Inc. Philadelphia, PA	Jul 13, 2004	SEP 22 2004	Sep 30, 2005
Rohm and Haas Company Philadelphia, PA	Apr 14, 2004	Jul 13, 2004	Sep 30, 2005



fa Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

SEP 22 2004

Date