U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

OCT 1 5 2003

DOT-E 13269

EXPIRATION DATE: September 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Brenntag Mid-South, Inc.
Henderson, KY

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the one-way transportation in commerce of ammonia, anyhdrous in a DOT specification cylinder that has developed a leak. The cylinder is equipped with an emergency kit to prevent leakage during transportation. 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 § 172.301(c) in that marking the exemption number on the packaging is waived;
§ 173.24(b) in that the cylinder has a leak; and
§ 173.301(f) in that the pressure relief device may not be operational, due to the application of an emergency kit .

5. BASIS: This exemption is based on the application of Brenntag Mid-South, Inc., dated June 12, 2003, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identi-fication Number	Packing Group
Ammonia, anhydrous	2.2	UN1005	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification 3A480 or 3AA480 cylinder which has developed a leak in the valve or the sidewall. The cylinder must be temporarily repaired by trained personnel with an emergency kit in accordance with a pamphlet entitled "Indian Springs Anhydrous Ammonia Cylinder Emergency Kit", Edition 2 dated January 1997 on file with the Office of Hazardous Materials Exemptions and Approvals.

b. OPERATIONAL CONTROLS -

(1) The cylinder may be transported one way from the point of discovery to an appropriate facility for discharge and examination by private motor carrier.

(2) No cylinder may leak hazardous materials during transportation.

(3) Training for personnel making the repairs in this exemption must include:

(i) Proper use of the devices and tools in the emergency kit;

(ii) Use of respiratory equipment and all other safety equipment;

(iii) Knowledge of the properties of anhydrous ammonia.

(4) Cylinders repaired with the emergency kit must be properly blocked and braced to ensure the packagings are secured in the transport vehicle.

(5) When the application of the emergency kit precludes the operation of the pressure relief device, emergency response information provided with the shipment and available via an emergency response telephone number must indicate that the packages do not have operational pressure relief devices and provide appropriate guidance for exposure to fire.

(6) The driver of the transport vehicle must be instructed that when the vehicle is in an accident involving spilled fuel or fire, the vehicle must be moved to a safe location unless moving the vehicle would directly endanger the driver or others.

8. SPECIAL PROVISIONS: The marking requirements of § 172.301(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard the motor vehicle used to transport the package 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:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- 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. Each year, the exemption holder must submit a written report to the office of Hazardous Materials Exemptions and Approvals. The report must include the number of cylinders transported under the terms of this exemption. In addition, the report must include the location and type of leak (valve or sidewall).

Issued in Washington, D.C.:

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

OCT 15 2003
(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: CWFreeman