

February 4, 2004



U.S. Department  
of Transportation

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

**Research and  
Special Programs  
Administration**

DOT-E 13337

EXPIRATION DATE: December 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Albemarle Corporation  
Baton Rouge, LA
2. PURPOSE AND LIMITATIONS:
  - a. This exemption authorizes the transportation in commerce of the Division 4.2 and Division 4.3 materials specified in paragraph 6 below in authorized packagings (cylinders, non-bulk packagings, and small portable tanks) without meeting the "away from" segregation requirements. 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) and 172.302 (c) in that the exemption number must be marked on each package; and §§ 176.83(b) and (d) in that certain hazardous materials must be segregated ("away from") from each other in transportation, except as specified herein.
5. BASIS: This exemption is based on the application of Albemarle Corporation dated November 17, 2003, submitted in accordance with § 107.105 and public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Proper Shipping Name/ Hazardous Material Description</b>	<b>Hazard Class/ Division</b>	<b>Identi- fication Number</b>	<b>Packing Group</b>
Aluminum alkyls	4.2	UN3051	I
Aluminum alkyl halides	4.2	UN3052	I
Aluminum alkyl hydrides	4.2	UN3076	I
Pyrophoric organometallic compound, water-reactive, n.o.s.	4.2	UN3203	I
Organometallic compound or Compound solution or Compound dispersion, water-reactive, flammable, n.o.s.	4.3	UN3207	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - A freight container may be loaded with the Division 4.2 and Division 4.3 materials specified in paragraph 6 in authorized packagings (cylinders, non-bulk packagings, and small portable tanks) without meeting the "away from" segregation requirements specified in §§ 176.83(b) and (d). An authorized packaging is one that is specified in the HMR for the transport of the hazard material contained therein, or under an exemption issued pursuant to the applicable provisions of the HMR.

b. OPERATIONAL CONTROLS -

(1) The freight container may not contain any other materials (hazardous or non-hazardous).

(2) Authorized packagings must be blocked and braced to prevent movement in any direction.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption, but receives a package covered by this exemption, may reoffer it for transportation provided no modification or change is made to the package or its contents and it is offered 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.
- c. The marking requirements of §§ 172.301(c) and 172.302 (b) and (c) are waived.
9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each 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, 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under 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: STHwang