U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DEC 1 0 2004

DOT-E 11388
(SEVENTH REVISION)

EXPIRATION DATE: November 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Nalco Company
(Former Grantee: ONDEO Nalco Company)
Naperville, IL

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

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of DOT Specification 57 portable tanks made of stainless steel, containing certain dual hazard liquids. This exemption provides no relief from the Hazardous Materials Regulation (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 § 173.243(c) in that DOT Specification 57 portable tanks are not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Nalco Company dated November 18, 2004, 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
Amines, liquid, corrosive, flammable, n.o.s.	8	UN2734	II
Corrosive liquids, flammable, n.o.s.	8	UN2920	II
Cyclohexylamine	8	UN2357	II
Flammable liquids, corrosive, n.o.s.	3	UN2924	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a DOT Specification 57 portable tank not exceeding 400 gallons in capacity and conforming to the following requirements:

(1) The body must be constructed of T304 or T316L stainless steel and have a minimum thickness of 0.125 inches, and

(2) Design pressure must be 9 psig or greater.

b. TESTING - Each portable tank must be capable of passing the drop test prescribed in § 178.810 at the Packing Group II level.

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 modification or change is made to the package or its contents 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.

c. MARKING - Each portable tank must be plainly and durably marked "DOT-E 11388" in letters and numerals one inch high against a contrasting background.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight 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:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- 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.
- 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 the 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 incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Robert A. McGuire
for Associate Administrator for
Hazardous Materials Safety

DEC 1 0 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: AM

DEC 1 0 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
Nalco Energy Services, L.P. (Former Grantee: ONDEO Nalco Energy Services, L.P.) Naperville, IL	Nov 18, 2004	DEC 1 0 2004	Nov 30, 2006

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety