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

DEC 27 1995

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

DOT-E 11594

EXPIRATION DATE: March 31, 1996 or upon completion of the shipment, whichever occurs first.

1. GRANTEE: FMC Corporation, Philadelphia, PA.

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of a solid carbamate pesticide in fiber drums marked and tested to packing group II. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: The marking requirements of 49 CFR Part 107, Appendix B to Subpart B, Paragraph (1) and Section 172.301(c), 173.211

5. BASIS: This emergency exemption is based on the application of FMC Corp. dated December 5, 1995, and additional information dated December 20, 1995, submitted in accordance with 49 CFR 107.113 and a determination that it is necessary to preclude a serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Carbamate pesticide, solid, toxic, n..o.s. (carbofuran 98%)	6.1	UN2757	I

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are approximately 740 UN1G drums marked and tested to UN Packing Group II.

b. OPERATIONAL CONTROLS - UN1G drums are loaded four to a pallet, and are shrink-wrapped on the pallet. Approximately 22 pallets (88 drums) would be loaded in a enclosed semi-trailer.

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8. SPECIAL PROVISIONS:

a. FMC must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

b. Drivers must be trained as to the special hazards of Carbamate pesticide, solid, toxic, n.o.s. (carbofuran 98%) and emergency response procedures in case of release.

c. The marking requirements of 49 CFR Part 107, Appendix B to Subpart B, Paragraph (1) and Section 172.301(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. A copy of this exemption must be carried aboard the motor vehicle used to transport packages covered by this exemption.

b. Transportation is authorized only from FMC's facility in Baltimore, MD to FMC's facility in Institute, WV by contract carrier under provisions of exclusive use.

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. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

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. (49 CFR 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 at Washington, D.C.:

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Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(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.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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