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

APR 3 2002

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

DOT-E 12974

EXPIRATION DATE: September 30, 2002

1. GRANTEE: Amvac Chemical Company
Los Angeles, CA

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the transportation in commerce of an existing inventory of approximately 15,500 packages of an organophosphorus pesticide that were incorrectly marked "RQ." 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 § 172.203(a), 172.300(a), 172.301(c) and 172.324 in that a package may not be marked "RQ" unless it contains a reportable quantity of a hazardous substance, except as specified herein.

5. BASIS: This emergency exemption is based on the application of ShipMate, Inc. dated March 31, 2002, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Organophosphorous pesticides, liquid, toxic, flammable	6.1	UN3017	II

7. SAFETY CONTROL MEASURES: PACKAGING - Packaging prescribed is a combination packaging consisting of a non-reusable, high-strength plastic inner in a 4G fiberboard box authorized in § 172.202. The packages are an existing inventory of approximately 15,5000 that were incorrectly marked "RQ."

8. SPECIAL PROVISIONS:

a. The shipping paper and marking requirements of §§ 172.203(a) and 172.301(c) are waived.

b. A current copy of this exemption must be maintained at each facility where the package is offered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft and passenger carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each 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.

- 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 in Washington, D.C.:

J. Suzanne Hedgepeth

Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

APR 3 2002
(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, 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