U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 7943
(THIRD REVISION)

1. Action Chemical Company, Inc., Phoenix, Arizona, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of a class 8 material for transportation in commerce subject to the limitation and special requirements specified herein. This exemption authorizes shipment of a class 8 materials in fiberboard boxes complying with DOT-12B specification except for handholes in top flaps, and provides no relief from an regulation other than as specifically stated. NOTE: Reference to 49 CFR Sections in this exemption are to regulations in effect on September 30, 1991. (See Appendix A of this exemption)

2. BASIS. This exemption is based on Action Chemical Company, Inc's application dated July 22, 1994 submitted in accordance with 49 CFR 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class). Hydrochloric acid, sulfuric acid, and sodium hypochlorite solutions - classed as Class 8.

4. PROPER SHIPPING NAME (49 CFR 172.101). Hydrochloric acid, sulfuric acid, or hypochlorite solutions, as appropriate.

5. REGULATION AFFECTED. 49 CFR 173.263(a)(15), 173.272(c), (i)(12), 173.277(a)(1).

6. MODE OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed is a full overlap slotted style corrugated fiberboard box, having inside one or two one-gallon polyethylene containers, complying with DOT-12B30 specification except for handholes in the top outer flaps.

b. Packages must be shipped palletized except those transported via private carriage.

8. SPECIAL PROVISIONS.

a. Offerors for transportation of hazardous materials specified in this exemptions may use the packaging described in this exemption for the transportation of such hazardous materials so long as no modifications or changes are made to the packages, all terms of this exemption are complied with, and a copy of the current exemption is maintained at each facility from which such offering occurs.

b. No new construction of this packaging identified in paragraph 7 of this exemption is authorized after September 30, 1994. As the holder of this exemption, you may request a renewal to continue the use of the packaging manufactured prior to September 30, 1994. However, the exemption will carry an expiration date subsequent to September 30, 1996 since use of the packaging is prohibited after that date. This is consistent with the transitional provision of 49 CFR Section 171.14 and the implementation of the new packaging requirements adopted under Docket HM-181.

9. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

10. Compliance. Failure by a person to comply with any of the following may result in the suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation laws.

- 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 se 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 unless a regulation has been amended making the exemption no longer necessary.

11. 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.

12. EXPIRATION DATE. July 31, 1996.

Issued at Washington, D.C.:

NOV 7 1994

(DATE)

Alan I. Roberts
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.

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

Dist: FHWA

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APPENDIX A

The following are hereby granted party status to this exemption based on their applications submitted in accordance with 49 CFR 107.111 and the public proceeding thereon and 107.105.

Hasa, Inc., Santa Claira, California, application dated September 1, 1994.

Hasa of Arizona, Inc., Eloy, Arizona, application dated September 1, 1994.