



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

AUG 17 2004

DOT-E 10429
(THIRTEENTH REVISION)

EXPIRATION DATE: April 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 discharge of certain Class 3, Class 8 and Class 9 liquids from DOT Specification UN Intermediate Bulk Containers (IBCs) and DOT Specification 57 portable tanks without removing the tanks from the vehicle on which it is transported. 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), and 172.302(c) in that the marking requirements are waived; and § 177.834(h) in that an IBC or DOT Specification 57 portable tank is unloaded while on a motor vehicle.

5. BASIS: This exemption is based on the application of the Nalco Company dated July 28, 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
Those hazardous materials currently authorized to be shipped in a DOT Specification 57 portable tank or in a UN31A IBC.	Class 3, Class 8, or Class 9 as appropriate	As Appropriate	As Appropriate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are stainless steel DOT Specification 57 portable tanks having capacities not exceeding 400 gallons or DOT Specification UN IBCs having capacities not exceeding 793 gallons.

b. OPERATIONAL CONTROLS -

(1) The portable tanks and IBCs must be attended at all times during unloading operations by a qualified person. For the purposes of this requirement, "attended" and "qualified" have the meanings described in § 177.834(i) (3) and (4), respectively.

(2) Hoses may not be attached to discharge outlets during transportation.

(3) Portable tanks and IBCs may be unloaded but may not be refilled while on a motor vehicle.

(4) Portable tanks or IBCs may not be manifolded together.

(5) Two or more materials may not be loaded on the same vehicle if, as a result of any mixture of the materials, an unsafe condition would occur.

(6) Hazardous materials listed in paragraph 6 may only be shipped in DOT Specification 57 portable tanks or DOT Specification UN IBCs authorized for those materials.

c. TESTING - Each portable tank must be retested as specified in § 173.32(e) and each IBC must be retested and inspected as specified in § 180.352.

8. SPECIAL PROVISIONS.

a. Commodities authorized in UN IBCs but not authorized in DOT 57 portable tanks may not be shipped in portable tanks bearing only a DOT 57 specification.

b. MARKING - The marking requirements in §§ 172.203(a) and 172.302(c) are waived.

c. Drivers must be instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire or accident.

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

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

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:

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

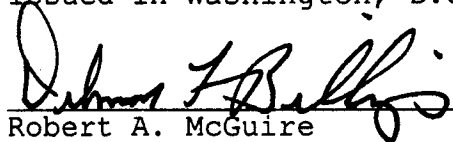
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training

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 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.:



dm
Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

AUG 17 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

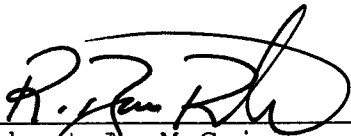
SEP 27 2005

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
Amber Chemical, Inc. Bakersfield, CA	Jul 26, 2004	Aug 17, 2004	Apr 30, 2006
Aqua-Serv Fontana, CA	Aug 3, 2004	Aug 4, 2004	Apr 30, 2006
BHS Marketing Salt Lake City, UT	Aug 19, 2004	Sep 21, 2004	Apr 30, 2006
Baker Petrolite Sugarland, TX	Jul 16, 2004	Jul 30, 2004	Apr 30, 2006
Brentntag Northeast, Inc. Reading, PA	Sep 6, 2005	SEP 27 2005	Apr 30, 2006
Brenntag Southwest Inc. Longview, TX	Aug 5, 2004	Aug 17, 2004	Apr 30, 2006
Burgener Contract Carriers, LTD. Merrill, WI	Feb 9, 2005 & Feb 28, 2005	Mar 18, 2005	Apr 30, 2006
CH20 International Olympia, WA	Dec 6, 2004 and Dec 13, 2004	Dec 16, 2004	Apr 30, 2006
Champion Technologies, Inc. Houston, TX	Jul 15, 2004	Aug 4, 2004	Apr 30, 2006
Chempace Corporation Toledo, OH	May 6, 2004	June 1, 2004	Apr 30, 2006
Halliburton Energy Services, Inc. Duncan, OK	May 26, 2004	Jun 17, 2004	Apr 30, 2006
Monson Companies Inc. South Portland, ME	Aug 3, 2004	Aug 17, 2004	Apr 30, 2006
Nalco Energy Services, L.P. (Former Grantee: ONDEO Nalco Energy Services, L.P.) Naperville, IL	Jul 28, 2004	Aug 17, 2004	Apr 30, 2006
S&S of Texas, Inc. Baytown, TX	Aug 26, 2004	Sep 21, 2004	Apr 30, 2006

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Company Name City/State	Application Date	Issue Date	Expiration Date
S&S Supply, Inc. Baton Rouge, LA	Aug 26, 2004	Sep 21, 2004	Apr 30, 2006
Schlumberger Technology Corporation Sugar Land, TX	Nov 19, 2004 & Dec 1, 2004	Dec 9, 2004	Apr 30, 2006
Univar USA, Inc. Seattle, WA	Jul 13, 2004	Jul 30, 2004	Apr 30, 2006
Water Chemical Services, Inc., (Waterchem) Aberdeen, MD	Dec 23, 2005 and Jan 20, 2005	Jan 19, 2005	Apr 30, 2006
Weas Engineering Inc. Westfield, IN	Jul 13, 2004	Jul 30, 2004	Apr 30, 2006



Robert A. McGuire

fe Associate Administrator for
Hazardous Materials Safety