



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

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

**SEP 11 2003**

DOT-E 11769  
(SIXTH REVISION)

**EXPIRATION DATE: June 30, 2005**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. **GRANTEE:** Pioneer Americas, LLC.  
Henderson, NV  
(Former grantee: Pioneer Americas, Inc.)

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

2. **PURPOSE AND LIMITATION:**

a. This exemption authorizes the discharge of certain Division 5.1 and Class 8 liquids from UN Intermediate Bulk Containers (IBC) without removing the IBC 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 § 177.834(h) in that an IBC is unloaded while on a motor vehicle; and the marking requirements in §§ 172.203(a) and 172.302(c), except as specified herein.
5. **BASIS:** This exemption is based on the application of Pioneer Americas, LLC. dated September 10, 2003, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Idenifi- cation Number	Packing Group
Ammonia solutions, relative density between 0.880 and 0.957 at 15 degrees C in water, with more than 10 percent but nor more than 35 percent ammonia	8	UN2672	III
Bisulfites, aqueous solution, n.o.s.	8	UN2693	III
Corrosive liquid, acidic, inorganic, n.o.s.	8	UN3264	II
Corrosive liquid, acidic, organic, n.o.s.	8	UN3265	II
Corrosive liquid, basic, inorganic, n.o.s.	8	UN3266	II
Corrosive liquid, basic, organic, n.o.s.	8	UN3267	II
Corrosive liquid, n.o.s.	8	UN1760	II
Disodium trioxosilicate	8	UN3253	II
Hydrochloric acid	8	UN1789	II
Hydrogen peroxide, aqueous solutions with more than 40 percent but not more than 60 percent hydrogen peroxide (stabilized as necessary)	5.1	UN2014	II
Hypochlorite solutions	8	UN1791	III
Nitric acid other than red fuming with not more than 70 percent nitric acid	8	UN2031	II
Phosphoric acid, liquid or solid	8	UN1805	III
Potassium hydroxide, solution	8	UN1814	II
Sodium chlorite	5.1	UN1496	II

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Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Idenifi- cation Number	Packing Group
Sodium hydroxide solution	8	UN1824	II
Sodium chlorate, aqueous solution	5.1	UN2428	II, III
Sulfuric acid with more than 51 percent acid	8	UN1830	II
Sulfuric acid with not more than 51% acid	8	UN2796	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are UN IBCs having capacities not exceeding 793 gallons.

b. TESTING - Each IBC must be retested and reinspected as specified in § 180.352.

c. OPERATIONAL CONTROLS -

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

(2) Hoses may not be attached to discharge outlets during transportation (movement) of the motor vehicle.

(3) The IBC may be unloaded but may not be refilled while on a motor vehicle.

(4) 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.

(5) Hazardous materials listed in paragraph 6 may only be shipped in UN IBCs authorized for those materials.

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8. SPECIAL PROVISIONS:

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

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

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

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

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

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 Registration required by § 107.601 et seq., when applicable.

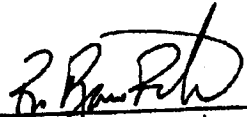
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

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.

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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.:

  
\_\_\_\_\_  
Robert A. McGuire  
Associate Administrator  
for Hazardous Materials Safety

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(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: sln

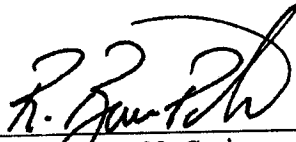
**MAY 4 2004**

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
Amber Chemical, Inc. Bakerfield, CA	Jul 28, 2003	Aug 16, 2003	Jun 30, 2005
Brenntag Southwest, Inc. Sand Springs, OK	Aug 25, 2003	Sep 11, 2003	Jun 30, 2005
Dober Group Midlothian, IL	Jul 15, 2003	Aug 04, 2003	Jun 30, 2005
Halliburton Energy Services, Inc. Duncan, OK	Jul 21, 2003	Aug 04, 2003	Jun 30, 2005
Hibrett Puratex Pennsauken, NJ	Apr 15, 2004	<b>MAY - 4 2004</b>	Jun 30, 2005
Hydrite Chemical Company Brookfield, WI	Jul 01, 2003	Jul 07, 2003	Jun 30, 2005
Los Angeles Chemical Company South Gate, CA	Aug 13, 2003	Sep 02, 2003	Jun 30, 2005
Mallinckrodt Baker, Inc. Phillipsburg, NJ	Jun 23, 2003	Jul 07, 2003	Jun 30, 2005
Monson Companies, Inc. South Portland, ME	Sep 03, 2003	Sep 24, 2003	Jun 30, 2005
Oilchem, Inc. Lincoln, RI	Aug 14, 2003	Sep 02, 2003	Jun 30, 2005
Quadra Chemicals Western, Inc. Huntersville, NC	Jun 10, 2003	Jul 07, 2003	Jun 30, 2005
RCS Pressure Supply, Inc. Lakeland, FL	Jul 08, 2003	Aug 04, 2003	Jun 30, 2005
Surpass Chemical Company, Inc. Albany, NY	Aug 04, 2003	Aug 18, 2003	Jun 30, 2005
Thatcher Company of California La Puente, CA	Feb 09, 2004	Mar 29, 2004	Jun 30, 2005
Triangle Pool Service Largo, FL	Jul 10, 2003	Jul 11, 2003	Jun 30, 2005

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Company Name City/State	Application Date	Issue Date	Expiration Date
Ulrich Chemical, Inc. Indianapolis, IN	Nov 11, 2003	Dec 12, 2003	Jun 30, 2005
Viking Chemical Company Rockford, IL	Nov 03, 2003	Nov 14, 2003	Jun 30, 2005
Watertech, Inc. Twin Falls, ID	Aug 11, 2003	Sep 02, 2003	Jun 30, 2005
Weas Engineering, Inc. Westfield, IN	Jan 22, 2004	Mar 29, 2004	Jun 30, 2005

  
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Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

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Hydrite Chemical Company Brookfield, WI	Jul 01, 2003	Jul 07, 2003	Jun 30, 2005
Industrial Chemicals Inc. Birmingham, AL	Nov 9, 2004	<b>NOV 30 2004</b>	Jun 30, 2005
Los Angeles Chemical Company South Gate, CA	Aug 13, 2003	Sep 02, 2003	Jun 30, 2005
Magnolia Chemicals LLC Birmingham, AL	Nov 9, 2004	<b>NOV 30 2004</b>	Jun 30, 2005
Mallinckrodt Baker, Inc. Phillipsburg, NJ	Jun 23, 2003	Jul 07, 2003	Jun 30, 2005
Monson Companies, Inc. South Portland, ME	Sep 03, 2003	Sep 24, 2003	Jun 30, 2005
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*Robert A. McGuire*

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