

CONOCO

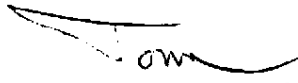
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Interoffice Communication

To Dean Weimer
From Tom Grumbles
Date April 19, 1984
Subject DOT EXEMPTION E-6913

The subject exemption was granted to Conoco Inc. for the operation of a tank truck that we use between Ponca City and the OKC plant. The attached letter describes recommended steps to assure our continued use of the trailer. A copy of the applicable regulation for step one as outlined in the letter is also enclosed. The question is who should do it?

Please give me a call and we can discuss.


Thomas G. Grumbles

ajo

Attachments

cc: Rick Smith 5/4

VVV 000012319



RECEIVED

APR 03 '84

Interoffice Communication

To Tom Grumbles
From Gale Lueck
Date April 5, 1984
Subject Exemption DOT-E 6913

Route: _____

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The manner in which the new Vista Chemical Company would continue using the VCM tank at Ponca City which operates under an exemption (E-6913) issued to Conoco, Inc. is as follows; according to a discussion with Dennis Martini of the U. S. Department of Transportation.

1. Make application to become a "Party to an Exemption" as outlined in Section 107.111 in Title 49 CFR.
2. The current extension of the exemption expires December 1, 1985.
3. In renewing the status as a party to an exemption, apply the procedures set forth in Section 107.105 through 107.109 with respect to an application for renewal of an exemption.
4. When Conoco Inc. does not apply for a renewal of the exemption, but Vista Chemical applies for a renewal of the "Party to an Exemption" the Department of Transportation will automatically move the exemption to Vista's name.

If you need additional information, call me.

Gale H. Lueck

VVV 000012320

the FEDERAL REGISTER a notice of the denial.

(d) If the Associate Director for HMR, determines that the application contains adequate justification, he grants it subject to the conditions set forth in Appendix B to this subpart and such other terms as he considers necessary, and notifies the applicant in writing. He also publishes in the FEDERAL REGISTER a notice of the grant.

(e) If the Associate Director for HMR, determines that an application concerns a matter of such general applicability and future effect as to warrant being made the subject of rule making, he may initiate rule making under Part 106 of this chapter in addition to or in lieu of granting or denying the application.

(40 FR 48470, Oct. 15, 1975, as amended by Amdt. 107-8, 45 FR 81571, Dec. 11, 1980)

§ 107.111 Party to an exemption.

(a) Any person who is eligible to apply under § 107.103 for an exemption may apply to the Associate Director for HMR, to be made a party to an application filed under that section or § 107.105 or to an exemption or renewal granted under § 107.109(d).

(b) Each application filed under this section must—

(1) Be submitted to: Office of Hazardous Materials Regulation, U.S. Department of Transportation, Washington, D.C. 20590, Attention: Exemptions Branch;

(2) Identify the exemption application or exemption to which the applicant seeks to become a party;

(3) State the name, address and telephone number of the applicant and

(4) If the applicant is not a resident of the United States, include a designation of a permanent resident of the United States as his agent for service of process in accordance with § 107.7.

(c) The applicant becomes a party to an exemption application or exemption if the Associate Director for HMR, determines that—

(1) The applicant is a person who is eligible to apply under § 107.103 for an exemption; and

(2) The exemption application or exemption to which the applicant seeks to become a party concerns a matter

of a continuing nature and does not depend upon information entitled to confidential treatment.

(d) The Associate Director for HMR, publishes in the FEDERAL REGISTER a notice of each application received, each initial determination made and each renewal granted under this section.

(e) A person who becomes a party to an exemption under this section is subject to terms of that exemption, including the expiration date stated therein. If a party to an exemption wishes to renew his status as a party to an exemption, the procedures set forth in §§ 107.105 through 107.109 with respect to an application for renewal of an exemption apply.

(40 FR 48470, Oct. 15, 1975, as amended by Amdt. 107-1, 40 FR 56443, Dec. 3, 1975; Amdt. 107-2, 41 FR 7509, Feb. 19, 1976)

§ 107.113 Application for and processing of emergency exemption.

(a) Any person who is subject to the requirements of this subchapter, Subchapter C of this chapter, 46 CFR Part 64 or Part 146 who seeks an exemption from any of those requirements on the basis of an existing emergency shall apply for that exemption through the appropriate Department of Transportation official listed in Appendix A to this subpart.

(b) An application submitted under this section must include such supporting information with respect to each of the topics specified in § 107.103(b) (2) through (11) as the receiving Department of Transportation official considers necessary for processing the application.

(c) Upon receipt of all of the information necessary for processing the application, the receiving Department of Transportation official shall transmit to the Associate Director for HMR, by the most rapid available means of communication, his evaluation as to whether an emergency exists and his recommendations with respect to the conditions to be included in the exemption. If the Associate Director for HMR, determines that an emergency exists and that there is adequate justification for the exemption, he grants the exemption subject