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

JUN 2 1998

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

DOT-E 11086
(SECOND REVISION)

EXPIRATION DATE: May 31, 2000

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Standard Chlorine of Delaware, Inc.
Delaware City, Delaware

2. PURPOSE AND LIMITATIONS: This exemption authorizes the use of reusable, collapsible woven polypropylene bulk bags with replaceable liners having a capacity not over 1000 kg (2206 pounds) and top and bottom outlets, for transportation in commerce of a Class 9 material subject to the limitations and special requirements specified herein, and provides no relief from any regulation other than as specifically stated.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Sections 173.35(b) and 173.240.

5. BASIS: This exemption is based on the Standard Chlorine of Delaware Inc.'s application dated April 23, 1998, submitted in accordance with 49 CFR 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Environmentally Hazardous Substance, solid, n.o.s.	9	UN3077	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a 13H3, 13H-4, or non-DOT specification collapsible flexible, polypropylene bulk bag container with a non-reusable liner. (After September 31, 1996, the packaging must be certified as a 13H3 or 13H4 and marked as specified in para. 8.e.) The bag is fabricated of woven polypropylene, incorporating four lifting straps, a disposable interior liner, and a total bag capacity of not over 1000 kg. Replacement interior liners used for each reused shipment must be identical to those liners used in the design qualification testing in paragraph 7.b. Each bag, prepared as for shipment, must be capable of satisfactorily withstanding the design type tests specified in paragraph 7.b. Test results are on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

b. TESTING - As a minimum, the following test procedures must be performed:

(i) Drop tests (at least three separate bags from a height of four feet); Jerk test & Topple test (at least two separate bags - one bag for each test); Topple and Drag test, Righting test, and Abrasion test (at least one bag used for all these tests -in addition, the bag(s) used must have also been used in either a drop, jerk, or topple test); as described in "Procedures for Performance Testing of Flexible Intermediate Bulk Containers," Packaging Institute, U.S.A., procedure T-4102-85, dated February 1985. Further, each bag must be capable of passing the vibration standard as described in 49 CFR dated December 31, 1991.

(ii) After September 31, 1996, all testing must be in accordance with 49 CFR 178, Subpart O.

c. REUSE - No FIBC marked with the exemption number in paragraph 8.e. shall be used more than six (6) times. No FIBC may be reused more than a year after the date of the first shipment in that FIBC. Further, no reused FIBC may be filled with a hazardous material until an unused liner has replaced the previously used liner. Total number of uses for each bag must be recorded. When FIBCs have been used for 3 shipments, a sample of at least 3 FIBCs per lot of 50 must be tested according to the full requirements of the standard in paragraph 7.b above. Upon completion of 6 shipments, another sample of at least 3 FIBCs per lot of 50 must be tested as above. Records must be kept in accordance with paragraph 7.e.

d. INSPECTION - (1) Before reuse, each bag must pass an inspection which includes, as a minimum, the terms which follow:

(i) The bags used more than once must be in such condition, including closure devices, that they conform in all respects to the prescribed requirements of this exemption and to 49 CFR 173.24, as applicable.

(ii) The polyethylene liner must be replaced with a new liner prior to reuse.

(iii) Bags may only be reused to transport the same hazardous material, or a fully compatible similar hazardous material of the same hazard class, as was present in the bag during its first use in hazardous materials transport.

(iv) Prior to filling for reuse, each bag must be inspected and judged suitable for reuse. Only bags with no wear or flaws may be reused. The inspection must be of all sides, top and bottom, and all lifting straps and attachments, and must include, as a minimum, the following:

(1) General Appearance -- must be free of holes, abrasions, and tears, regardless of size.

(2) Lifting straps
- Must be free of cuts and abrasions.
- Torn stitching must not exceed 1 inch of the total length of sewing/strap attachment to the FIBC.

NOTE: Possible defect may be indicated by the strap first beginning to peel away from the body at the top of the FIBC.

(3) Seams -- clawing/zippering of stitching to "open up," also referred to as clawing and/or zippering, is approximately 1/3 of the way up the seam from the bottom of hte FIBC.

(4) Markings -- All markings, including the printing on the Manufacturers Certification Tag, must be legible.

(5) Fill/Discharge Spouts -- must be free of tears, with cordlocks intact.

(6) UV Damage -- Ultraviolet ray damage is indicated by the woven polypropylene becoming stiff and/or cracking. It present, the FIBC must be rejected for reuse if the top of the FIBC appears to be less flexible than new fabric or if the top of the FIBC fabric shows signs of cracking.

e. RECORDKEEPING - Total number of uses of each bag and dates of shipments must be recorded. A bag rejected by the reuse inspection must have reason for rejection and person performing inspection recorded. All results of tests performed on reused bags must be recorded. After the first year of transport experience and data is established and recorded, an annual summary of results including reused bag test reports and rejection reports must be sent to OHMEA.

f. SEGREGATION - FIBCs covered under this exemption must be transported by exclusive use private or contract carriage. No other hazardous material container may be shipped with the reusable FIBCs except non-bulk UN certified bags authorized to contain the hazardous material described in paragraph 6.

g. FIBCs must be loaded and unloaded on pallets and not by lifting loops at the top of each FIBC. No intermediate loading or unloading of FIBCs is allowed. Only shipments from origin to destination are allowed.

8. SPECIAL PROVISIONS:

a. Offerors for transportation of the hazardous materials specified in this exemption 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. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated for a specific manufacturing facility.

c. A copy of this exemption, in its current status, must be maintained at each manufacturing facility at which this packaging is manufactured and each facility at which design and reused FIBC testing is performed and must be made available to a DOT representative upon request.

d. Shippers using the packaging covered by this exemption must comply with the shipping paper, marking, labeling, and placarding requirements of 49 CFR Part 172; all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

e. MARKING - After September 31, 1996, marking must be in accordance with 49 CFR 178, Subpart N. Each bag must be permanently and durably marked in accordance with the requirements of Section 172.331 in letters at least two inches high on a contrasting background:

DOT-E 11086
REUSABLE

The use of labels, tags or signs for marking purposes is prohibited.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

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

b. Shipment by highway must be in closed vehicles or freight containers.

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. Section 5101 et seq:

- 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 et seq., when applicable.

Each "Hazmat employee", as defined in 49 CFR 171.8, who performs a function subject to this exemption must receive training or the requirements and conditions of this exemption in addition to the training required by 49 CFR 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.

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. (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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued at Washington, D.C.

Ann Mazzullo

for Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

JUN 2 1998
(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.

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

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