U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 7811 (PTE)
FIFTH REVISION October 25, 1995

In accordance with 49 CFR 107.111 of the Department of Transportation (DOT) Hazardous Materials Regulations the party(ies) listed below is granted the status of party to DOT-E 7811. The expiration date of the exemption for the party(ies) is September 30, 1996.

This party status applies to the party(ies) listed below based on the application(s) submitted in accordance with 49 CFR 107.111 and the public proceeding thereon. All terms of the exemption remain unchanged. This authorization forms part of the exemption and must be attached to it.

for Marilyn E. Morris
Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

FEB 22 1996
(DATE)

Dist: FHWA FRA USCG FAA

EXEMPTION HOLDER	APPLICATION DATE
Mallinckrodt Baker, Inc. Phillipsburg, NJ	December 4, 1995

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DOT-E 7811
(FIFTH REVISION)

1. EM Science, Cincinnati, OH, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of certain corrosive liquids, flammable liquids, and Poison B liquids for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes use of a DOT Specification 12A corrugated fiberboard box with handholes, and provides no relief from any regulation other than as specifically stated. Reference to 49 CFR Sections in this exemption are to regulations in effect on September 30, 1991. Each of the following is hereby granted the status of a party to this exemption.

Mallinckrodt Specialty Chemicals Company, Paris, KY - PTE-1.

2. BASIS. This exemption is based on the application from EM Science dated June 28, 1993 and supplemental letter dated August 7, 1995, submitted in accordance with 49 CFR 107.105. The granting of party status is based on the following application submitted in accordance with 49 CFR 107.111 and 107.105 and the public proceeding thereon:

Mallinckrodt Specialty Chemicals Company's application dated May 20, 1993.

3. HAZARDOUS MATERIALS (Descriptor and class). Corrosive liquids, and Poison B liquids, for which the packagings in 49 CFR 173.119(a)(23), 173.125, 173.245(a)(18), 173.346(a)(21), and 173.347(a)(8), respectively, are prescribed.

4. PROPER SHIPPING NAME (49 CFR 172.101). Generic commodity description or specific chemical name, as appropriate.

5. REGULATION AFFECTED. 49 CFR 173.119(a)(23); 173.125, 173.245(a)(18); 173.346(a)(21); 173.347(a)(8); 175.3; 178.210.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight, cargo vessel and cargo-aircraft only.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a corrugated fiberboard box which complies with DOT Specification 12A except that it has incorporated in it two handholes on opposite sides. Each handhole is to be partially die-cut, no more than four inches long by 1-1/2-inches wide. Handholes are above the neck of the inside glass bottles and are backed up by two layers of double-wall B/C flute corrugated fiberboard. Details on the construction of the box are as follows:

a. Box is a center special slotted container (i.e., a CSSC, with top and bottom inner and outer flaps meeting at center).

b. Fabricated of 275-pound test, double-wall corrugated fiberboard, with glued, stapled or taped closures.

c. Box is further equipped with top and bottom pads of double-wall fiberboard.

d. Four inner cells are formed by two layers of folded double-wall fiberboard, or of 275-pound test, double-wall corrugated fiberboard.

e. Inside cushioning of fiberboard is such that the completed box, closed as for shipment, is capable of withstanding the performance tests prescribed in 49 CFR 178.210-10.

f. Gross weight not to exceed 80 pounds.

8. SPECIAL PROVISIONS.

a. Persons who receive packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with, and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. A copy of this exemption must be carried aboard each vessel and aircraft used to transport packages covered by this exemption.

c. **No new construction of the 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 not 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 provisions of 49 CFR Section 171.14 and the implementation of the new packaging requirements adopted under Docket HM-181.**

9. 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.

10. EXPIRATION DATE. September 30, 1996.

Issued at Washington, D. C.:

Suzanne Hedgepeth

Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

OCT 25 1995
(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U. S. 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.

Dist: USCG, FAA, FHWA, FRA.