U.S. Department of Transportation

Research and Special Programs Administration

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

MAY 6 1991

DOT-E 10547

1. Tri-Wall Company, Louisville, Kentucky, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to manufacture, mark, and sell the packaging described in paragraph 7 below for use in the transportation in commerce of various corrosive solids and poison B solids described in paragraph 3 below subject to the requirements specified herein. This exemption authorizes the manufacturing, marking and sale of non-reusable, fiberboard bulk boxes made of triple-wall corrugated fiberboard having an inside lining of 0.006-inch minimum thickness polyethylene bulk bag. Bulk boxes must be securely mounted to wood pallet bases, utilizing metal bands and fiberboard end caps, and may not contain more than 225 pounds per box, not more than 8 boxes (1850 pounds) per pallet of waste corrosive solids or poison B solids, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on the Tri-Wall Company application dated January 29, 1991, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Corrosive solids, classed as corrosive materials; Poison B solids, classed as poison B, and other solid (dry) hazardous materials specifically identified to and acknowledged in writing to the Office of Hazardous Materials Exemptions and Approvals prior to the first shipment.

4. PROPER SHIPPING NAME (49 CFR 172.101). Corrosive solid, n.o.s; poison B solid, n.o.s.; or the specific chemical name or generic commodity description, as appropriate, preceded by the word "Waste".

5. REGULATION AFFECTED. 49 CFR; 173.245b; 173.365.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle

7. SAFETY CONTROL MEASURES. Packaging prescribed is a non-DOT specification non-reusable fiberboard bulk box of triple-wall corrugated fiberboard construction and mounted securely to a wood pallet base via metal bands and fiberboard endcaps. The box, fabricated according to the description in the application dated January 29, 1991, is fitted with a non-reusable lining of polyethylene of 0.006-inch minimum thickness and contains no more than 225 pounds of product per box, maximum 8 boxes (1850 pounds) per pallet.

Box, closed as for shipment, must be capable of satisfactorily withstanding the performance tests (Vibration; Incline Impact; Bottom Tilt-Drop; Static Compression; Dynamic Compression) prescribed and results of which are furnished in Package Research Laboratory report dated October 16, 1990 included in application.

8. SPECIAL PROVISIONS.

a. Offerors for transportation of 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. 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 100-180.

c. Packagings are to be used for waste solids from plant site to waste disposal site and are not to be reused.

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

e. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name for 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.

f. Each box must be marked "DOT-E 10547" and "NON-REUSABLE CONTAINER" in letters at least two inches high on a contrasting background on two opposite sides of the box.

9. REPORTING REQUIREMENTS: Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable.

10. EXPIRATION DATE. April 4, 1993.

Issued at Washington, D.C.

J. Suzanne Hedgspeth MAY 6 1991

Alan I. Roberts (DATE)
Associate Administrator
for Hazardous Materials Safety

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: Exemptions Branch.

Dist: FHWA.