U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 10687 (EXTENSION)
SECOND REVISION January 24, 1994

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10687 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to December 31, 1996. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.105. This extension constitutes a necessary part of this exemption and must be attached to it.

J. Suzanne Hedgepett
Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

JAN 17 1995
(DATE)

Dist: FHWA

EXEMPTION HOLDER	APPLICATION DATE
Duro-Flex Products, Inc. Foristell, MO	October 31, 1994

ADVISORY

IF YOU ARE A HOLDER OF AN EXEMPTION THAT AUTHORIZES THE USE OF A PACKAGING WITH A MAXIMUM CAPACITY LESS THAN 450 L (119 GALLONS) OR A MAXIMUM NET MASS LESS THAN 400 KG (882 POUNDS), PLEASE BE ADVISED THAT YOUR EXEMPTION MAY NOT BE RENEWED BEYOND SEPTEMBER 30, 1996. IN ADDITION, NO NEW CONSTRUCTION OF PACKAGINGS WHICH FALL WITHIN THE NON-BULK CAPACITIES LISTED ABOVE ARE AUTHORIZED AFTER SEPTEMBER 30, 1994. THIS IS CONSISTENT WITH THE IMPLEMENTATION OF THE NEW PACKAGING REQUIREMENTS ADOPTED UNDER DOCKET HM-181. ANY APPLICATION SUBMITTED TO THIS OFFICE TO RENEW AN EXEMPTION BEYOND THE SEPTEMBER 30, 1996 DATE WILL BE DENIED UNLESS THE APPLICATION CONTAINS SUPPORTING INFORMATION TO JUSTIFY THE CONTINUATION OF THE EXEMPTION.

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DOT-E 10687
(SECOND REVISION)

1. Duro-Flex Products, Incorporated, Foristell, Missouri, 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 the Division 4.1, Division 6.1, Class 8 and Class 9 solid materials described in paragraph 3 below, subject to the requirements specified herein. This exemption authorizes the manufacture, marking, and sale of nonreusable, fiberboard bulk boxes made of triple-wall corrugated fiberboard having an inside lining of 0.0065-inch minimum thickness polyethylene film. Bulk boxes must be securely mounted to wood pallet bases and may not contain more than 2,200 pounds of hazardous material. This exemption provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Duro-Flex Products, Incorporated's application dated October 18, 1993, submitted in accordance with 49 CFR 107.105 and additional information dated September 21, October 20 and November 29, 1993.

3. HAZARDOUS MATERIALS (Descriptor and class). Poisonous solids, n.o.s., Division 6.1, PG II or III; Corrosive solids, n.o.s., Class 8, PG II or III; Environmentally hazardous substances, solid, n.o.s., Class 9, Packing Group III; and Flammable solids, n.o.s., Division 4.1, Packing Group III, which are specifically identified to, and acknowledged in writing by the Office of Hazardous Materials Exemptions and Approvals (OHMEA) prior to the first shipment.

4. PROPER SHIPPING NAME (49 CFR 172.101). The specific chemical name or generic commodity description with technical name in parenthesis, as appropriate; preceded, when appropriate, by the word "Waste."

5. REGULATION AFFECTED. 49 CFR 173.212 and 173.213.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a non-DOT specification, nonreusable fiberboard box of triple-wall corrugated fiberboard construction and mounted securely to a wood pallet base. Box, fabricated according to the description in the application dated August 20, 1991, is fitted with a lining of polyethylene film of 0.0065-inch minimum thickness and may not contain more than 2,200 pounds of product. The box, closed as for shipment, must be capable of satisfactorily withstanding the Vibration, Incline Impact, Bottom Tilt-Drop, and Static and Dynamic Compression tests which were described, and the results of which are furnished, in the Pro-Pack Testing Laboratory, Inc. Report dated June 26, 1991, included in the petitioner's application. As closed for shipment, boxes which contain Division 4.1 materials must be capable of meeting the performance-oriented packaging tests for Group II as described and the results of which were furnished in the Pro-Pack Testing Laboratory, Inc. Report dated June 30, 1992 submitted by the petitioner.

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 all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 100-180.

c. 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.

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 box must be marked "DOT-E 10687" and "NONREUSABLE CONTAINER" in letters at least two inches high on a contrasting background on two opposite sides of the box.

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 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 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.

10. EXPIRATION DATE. December 31, 1994.

Issued at Washington, D.C.:

JAN 24 1994

for J. Suzanne Hedgspeth

Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

(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: Exemptions Program.

Dist: FHWA.