U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 10262 (EXTENSION)
THIRD REVISION July 1, 1993

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10262 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to April 30, 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.

for Suzanne Hedgepeth
Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

MAY 20 1994
(DATE)

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
Van Leer Tay Limited Dundee, Scotland (U.S. AGENT: APM/NNZ Industrial Packaging, Inc. Norcross, GA)	April 28, 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.

JUL - 1 1993

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

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

DOT-E 10262
(THIRD REVISION)

EXPIRATION DATE: September 30, 1994

1. GRANTEE: Van Leer Tay, Limited, Dundee, Scotland, (U.S. Agent: APN/NNZ Industrial Packaging, Inc., Norcross, Georgia)

2. PURPOSE AND LIMITATION: This exemption authorizes the manufacture, marking and sale of non-DOT specification non-reusable, collapsible polyethylene lined, woven polypropylene bulk bags having a capacity not exceeding 2205 pounds for transportation in commerce of certain Class 8 (corrosive materials) and Division 6.1 (poison B) materials. This exemption provides no relief from any regulation other than as specifically stated herein.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Sections 173.240 and 173.242.

5. BASIS: This exemption is based on Van Leer Tay, Limited's application dated September 21, 1992, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon and 107.105.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard class (Written Class) Class Number/ Division	Identification Number	Packing Group
Chloroacetic acid, solid	(Corrosive material/Class 8	UN 1751	II
Sodium hydroxide, solid	(Corrosive material/Class 8	UN 1823	II
Sodium chloroacetate	(Poison B)/ Division 6.1	UN 2659	III

NOTE: Effective October 1, 1993, the appropriate numeric hazard class or division descriptions must be used in place of the written hazard class descriptions.

7. SAFETY CONTROL MEASURES:

a. PACKAGING - A non-DOT specification collapsible, non-reusable bulk bag. Each bag is made of woven polypropylene, incorporating four lifting straps of woven polypropylene webbing and an interior lining of polyethylene film (0.0098 inch minimum thickness) and having discharge and inlet openings closed by polypropylene tie ribbons. Capacity of each bag may not exceed 2205 pounds.

b. TESTING - Each bag must be capable of satisfactorily withstanding. Free-fall drop tests (three from a height of four feet); Jerk test; Topple test; Topple and Drag test; Righting test; Abrasion 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.

c. MARKING - Each must be permanently and durably marked in accordance with the requirements of 49 CFR 172.331 in letters at least 2 inches high on a contrasting background. The of labels, tags or signs for marking purposes is prohibited.

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. 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 must be made available to a DOT representative upon request.

9. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight and cargo vessel.

10. MODAL REQUIREMENTS.

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

b. For shipment by highway, bulk bags must be in closed vehicles or freight containers and in full truckload quantities.

c. For shipment by rail, bulk bags must be in DF box cars except that TOFC or COFC service is authorized in accordance with 49 CFR 174.61.

d. For shipment by vessel, bulk bags must be enclosed in secondary containment system. Secondary containment system means a closed or open freight container or transport vehicle.

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 Hazardous Materials Transportation Act:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
- Any use or application of this exemption, including display of its number, when the exemption has expired or it is otherwise no longer in effect unless a regulation has been amended making the exemption no longer necessary.
- Registration required by 49 CFR 107.601 et seq., when applicable.

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.:

For J. Suzanne Hedgpeth

Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

JUL - 1 1993
(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. Attention: Exemptions Branch.

Dist: FHWA, FRA, USCG