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

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

DOT-E 10899 (EXTENSION)
ORIGINAL April 5, 1993

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10899 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.

JAN 13 1995

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
Tuscarora Inc. Conyers, GA	November 16, 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.

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

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

DOT-E 10899

APR 5 1993

1. Tuscarora Incorporated, Conyers, Georgia, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to manufacture, mark, and sell the packaging described herein for nitric acid other than red fuming with not more than 70% nitric acid, for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the manufacturing, marking, and sale of a combination packaging consisting of a glass carboy enclosed in an expanded polystyrene packaging, further packed in a corrugated fiberboard box (as prescribed in Paragraph 7 below), and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Tuscarora Incorporated's application dated September 23, 1992, submitted in accordance with 49 CFR 107.103, and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Nitric acid other than red fuming, with not more than 70% nitric acid, classed as Class 8.

4. PROPER SHIPPING NAME (49 CFR 172.101). Nitric acid.

5. REGULATION AFFECTED. 49 CFR 173.158.

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

7. SAFETY CONTROL MEASURES. Packaging prescribed is a combination packaging as described in Tuscarora's application, consisting of a glass carboy with a maximum capacity of 6.5 gallons, enclosed in a two-part molded expanded polystyrene packaging, further packed in a UN 4G corrugated fiberboard box. The completed packaging must be successfully tested at the Packing Group II level, based on a liquid specific gravity of 1.9. Packagings must be capable of withstanding the vibration standard described in 49 CFR 178.608.

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

c. Each package shipped under this exemption must be marked "DOT-E 10899" in letters at least one-half inch high on a contrasting background.

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. 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 through 180.

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. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.)

0. EXPIRATION DATE. January 31, 1995.

Issued at Washington, D.C.:

APR 5 1993

(DATE)

Alan I. Roberts
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 Program.

Dist: FHWA, FRA, USCG.