U.S. Department
of Transportation

Research and
Special Programs
Administration

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

DOT-E 8388 (EXTENSION)
THIRD REVISION April 29, 1987

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 8388 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to September 30, 1994. 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 Hedgepeth

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

NOV 20 1992
(DATE)

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
B.W. Norton Manufacturing, Inc./Norpak Division Hayward, CA	September 9, 1992

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DOT-E 8388
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1. B.W. Norton Manufacturing Co., Oakland, California, is hereby granted an exemption from those provisions of this Department's Hazardous Materials Regulations specified in paragraph 5 below to manufacture, mark, and sell the packaging described in paragraph 7 below for use in the transportation of the corrosive liquids and flammable liquids described in paragraph 3 below in commerce subject to the requirements specified herein. This exemption authorizes shipment of liquid hazardous materials in a removable head polyethylene drum not exceeding five-gallon capacity, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on B.W. Norton Company's applications dated February 18, 1986 and February 23, 1987, submitted in accordance with 49 CFR 107.105 and 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Corrosive liquids, classed as corrosive material, for which DOT Specification 34 polyethylene container is prescribed in 49 CFR Part 173; and flammable liquids, with flash point above 20°F., classed as flammable liquid, for which the packaging requirements of 49 CFR 173.119(b) are applicable and which are specifically identified to, and acknowledged in writing by, the Office of Hazardous Materials Transportation (OHMT) prior to the first shipment. Only those commodities which will not react with polyethylene and result in container failure are authorized. The specific gravity of the commodity must be no more than 1.5, and vapor pressure may not exceed 16 psia at 100°F.

4. PROPER SHIPPING NAME (49 CFR 172.101). Corrosive liquid, n.o.s.; Flammable liquid, n.o.s.; or the specific chemical name, as appropriate.

5. REGULATION AFFECTED. 49 CFR, Part 173, Subpart F; 49 CFR, Part 173, Subpart D; 178.19.

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

7. SAFETY CONTROL MEASURES. Packaging prescribed is a non-DOT Specification removable head molded polyethylene drum, without overpack, having a rated capacity not exceeding 3.5 gallons or five gallons. Drum must be constructed of polyethylene with a minimum thickness of 0.070 inch measured at any point, and in accordance with Drawing No. 0006027 and having two alternative cover designs, depicted by Drawings 0006028 and 0006174, on file with OHMT.

i. Be qualified in accordance with the test prescribed in 49 CFR Part 178.19-7, except that the requirement for hydrostatic pressure shall be five psi for five minutes. Results of these tests to be as specified in test report included in Appendix A of B.W. Norton Company's petition dated February 27, 1980, and letter dated February 23, 1987.

ii. Be marked "NRC".

8. SPECIAL PROVISIONS.

a. Shippers may use the packaging(s) covered by this exemption pursuant to 49 CFR 173.22a.

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

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package must be reported to the OHMT as soon as practicable.

10 EXPIRATION DATE. March 31, 1988.

Issed at Washington, D.C.:

APR 29 1987

Alan I. Roberts
Director
Office Hazardous Materials Transportation

(DATE)

Address all inquiries to: Director, Office of Hazardous Materials Transportation, Reasearch and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: USCG, FHWA, FRA