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

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

DOT-E 8168 (EXTENSION)
FIFTH REVISION March 1, 1991

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 8168 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.

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

NOV 20 1992
(DATE)

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
Smurfit Plastic Packaging Inc. Wilmington, DE	August 31, 1992

U.S. Department
of Transportation

Research and
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Administration

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

MAR 1 1991

DOT-E 8168
(FIFTH REVISION)

1. Smurfit Plastic Packaging Inc., (formerly, Container Corporation of America), Wilmington, Delaware, 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 certain materials presently authorized in DOT 21C fiber drums, and other hazardous materials specifically identified in paragraph 3 below subject to the requirements specified herein. This exemption authorizes the use of non-DOT specification full removable head polyethylene drums of 30- and 57-gallon rated capacity for the shipment of certain materials presently authorized for shipment in DOT Specification 21C fiber drums, and of certain solid oxidizers, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Smurfit Plastic Packaging Inc.'s application dated November 19, 1990, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class).

a. Ammonium perchlorate; Trichloro-s-triazinetrione; Potassium dichloro-s-triazinetrione; Sodium dichloro-s-triazinetrione; (Mono-(trichloro) tetra-(monopotassium dichloro)-penta-s-triazinetrione, dry (each containing not more than 39% available chlorine), classed as Oxidizers.

b. Potassium hydroxide, dry, solid, flake, bead or granular; Caustic soda, dry, solid, flake, bead, or granular; Phosphoric acid Purification Sludge having the basic composition: 2% As2S3,33% filter aid, 42% P205, 23% water, classed as Corrosive material.

c. p-Nitrobenzoyl chloride and other corrosive solids specifically identified to, and acknowledged in writing by the Associate Administrator for Hazardous Materials Safety (AAHMS), classed as Corrosive material.

d. Those corrosive, flammable, poison B, and oxidizer solids presently authorized to be packaged in a DOT Specification 21C fiber drum.

4. PROPER SHIPPING NAME (49 CFR 172.101). The generic commodity description or specific chemical name, as appropriate, or generic commodity description or specific chemical name, as appropriate, preceded by the word "waste".

5. REGULATION AFFECTED. 49 CFR Part 173, Subparts E, F, H.

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

7. SAFETY CONTROL MEASURES. Packagings prescribed are non-DOT specification blow-molded high molecular weight polyethylene (PE) containers, with removable PE head, having rated volumetric capacities not exceeding 30 gallons or 57 gallons respectively. The removable head must be secured with a band and clamp fabricated of either steel or high density polyethylene. The container, as prepared for shipment, must be capable of satisfactorily withstanding:

a. The vibration and compression tests specified in 49 CFR 178.19-7(c)(1) and (c)(2) except the compression test value must be no less than 1800 pounds for the 30-gallon capacity drum and 2400 pounds for the 57-gallon capacity drum.

b. A four-foot drop onto an unyielding surface and impacting flat on the top head, in addition to the drop tests specified in 49 CFR 178.224-2(b).

Reuse of the container must be in accordance with the applicable requirements of 49 CFR 173.28.

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

c. The net weight limitation and inside packaging requirements contained in 49 CFR Part 173, Subparts E, F and H for DOT Specification 21C fiber drums apply to the packaging authorized under this exemption.

d. Moisture barrier protection required for certain materials is waived when the drums are used under this exemption.

e. Each drum must be marked in accordance with §178.224-4 except "DOT-E 8168" must be used in lieu of "DOT-21C". Additionally, the cover or lid must be permanently marked "DOT-E 8168".

f. Shippers using the packaging covered by this exemption must comply with the shipping paper, marking, labeling, and placarding requirements of 49 CFR Part 172; the special packaging requirements of 49 CFR 173.3a for certain poisonous materials; all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 100-180.

g. Each container body and cover or lid 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.

h. 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. 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. November 30, 1992.

Issued at Washington, D.C.:

MAR 1 1991

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 Branch.

Dist: USCG, FHWA, FRA.