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

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

DOT-E 10755 (EXTENSION)
SECOND REVISION September 1, 1994

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10755 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to March 31, 1998. 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 Marilyn G. Morris
Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

APR 29 1996
(DATE)

Dist: FHWA FRA USCG FAA

EXEMPTION HOLDER	APPLICATION DATE
Minnesota Mining and Manufacturing Company (3M) St. Paul, MN	March 22, 1996

Expired - No Renewal
Not Active

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SEP 1 1994

DOT-E 10755
(SECOND REVISION)

1. The Minnesota Mining and Manufacturing Company (3M), St. Paul, Minnesota, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to manufacture, mark, and sell packagings described herein for hazardous materials which are required to be labeled FLAMMABLE LIQUID, FLAMMABLE SOLID, DANGEROUS WHEN WET, OXIDIZER, POISON, KEEP AWAY FROM FOOD or CORROSIVE labels, or any combination of these labels, for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the manufacture, marking, and sale of a specially-designed combination packaging (as prescribed in Paragraph 7 below) for shipment of the above listed classes with quantity limits not exceeding one liter (or one quart), to be transported without the hazard labels when packaged as provided in paragraph 7 of this exemption. This exemption also authorizes the transportation of materials which require the DANGEROUS WHEN WET label in motor vehicles which are not placarded FLAMMABLE SOLID W, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on 3M's application dated May 3, 1994, submitted in accordance with 49 CFR 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class). Liquid and solid hazardous materials required to bear the FLAMMABLE LIQUID, FLAMMABLE SOLID, DANGEROUS WHEN WET, OXIDIZER, POISON, KEEP AWAY FROM FOOD or CORROSIVE labels classed as Class 3 (flammable liquid), Division 4.1 (flammable solid), Division 4.3 (dangerous when wet), Division 5.1 (oxidizer), Division 6.1 (poison), or Class 8 (corrosive), and materials bearing any combination of these labels. See paragraph 8.f. for materials which are poisonous by inhalation.

4. PROPER SHIPPING NAME (49 CFR 172.101). Specific chemical name or generic commodity description, as appropriate.

5. REGULATION AFFECTED. 49 CFR 172.203, 172.400, 172.402, 172.504, 172.505, 173.25, 173.150, 173.151, 173.152, 173.153, 173.154, 173.201, 173.202, 173.203, 173.211, 173.212, 174.213, 175.3, 175.25, and 175.33, insofar as those regulations prohibit the shipment or carriage of hazardous materials without labels being applied to the outer packaging, and without required placards on the vehicles.

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

7. SAFETY CONTROL MEASURES. This exemption authorizes the transportation of the hazardous materials identified in paragraph 3 above in packages which are not labeled, when packaged as follows:

a. Packaging Components. Packaging prescribed is as described in the Ten-E Packaging Services, Inc. test report dated November 20, 1991, submitted with 3M's application, and as follows:

i. An inner packaging(s) having a total capacity of not more than 1 liter.

ii. The inner packaging must be cushioned and secured by pre-sized foam spacer elements. This inner container and cushioning must be placed in a polyethylene bag, which is securely closed.

iii. The filled polyethylene bag must be placed in a polyethylene canister with integral sorbent material, as described in 3M's application dated February 29, 1992. The plastic canister has a specially-designed cover with gasket and latch that ensures proper closing location and torque of cover, as described in the petitioner's application.

iv. The saturation capacity of the integral sorbent material to be approximately 2 liters.

v. The plastic canister must be placed in a UN 4G fiberboard box constructed of 200 pound burst strength singlewall corrugated fiberboard. The box must be sealed with tape or by an equivalent method.

b. Testing. The completed packaging, assembled as for transportation and with inner packagings filled 98% full, must be capable of withstanding the tests specified in 49 CFR 178.601(g)(2) except that the drop test height must be 3 m. (118 in.).

8. SPECIAL PROVISIONS.

a. Persons who receive packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with, and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. In accordance with the provisions of 49 CFR Part 107, Appendix B to Subpart B, Paragraph 3, the shipper shall furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered. In addition, a copy of this exemption must be carried aboard each aircraft and cargo vessel used to transport packages covered by this exemption.

c. FLAMMABLE LIQUID, FLAMMABLE SOLID, DANGEROUS WHEN WET, OXIDIZER, POISON, KEEP AWAY FROM FOOD, or CORROSIVE labels need not be displayed on packages.

d. Each package shipped under this exemption that would otherwise bear a FLAMMABLE LIQUID, FLAMMABLE SOLID, OXIDIZER, POISON, KEEP AWAY FROM FOOD, or CORROSIVE label or any combinations thereof, must be marked "DOT-E 10755" in letters at least one-half inch high on a contrasting background.

e. Each package shipped under this exemption that would otherwise be labeled DANGEROUS WHEN WET must be marked "DOT-E 10755" in letters at least one-half inch high on a contrasting background. Vehicles transporting such packages are not required to be placarded FLAMMABLE SOLID W.

f. The following provisions are applicable to materials which are poisonous by inhalation (See 49 CFR 173.132 and 173.133) that are packaged in accordance with the requirements of this exemption:

1. Carriage aboard passenger aircraft is forbidden.

2. Each outside package must be marked in accordance with paragraph 8.c. above and "INHALATION HAZARD" in letters at least one-half inch high on a contrasting background in close proximity to the marking specified in paragraph 8.c. above.

3. Each shipping paper must contain a notation "POISON INHALATION HAZARD" in addition to the shipping paper requirements of Subpart C of Part 172.

4. The Associate Administrator for Hazardous Materials Safety shall be advised of each incident involving packages containing such toxic by inhalation materials and the remedial action taken as a result of the incident as soon as practical after its occurrence.

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 (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 be inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

10. EXPIRATION DATE. May 31, 1996.

Issued at Washington, D.C.

J. Suzanne Hedgspeth SEP 1 1994

Alan I. Roberts (DATE)
Associate Administrator for
Hazardous Materials Safety

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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: 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.

Dist: FHWA, FAA, FRA.