U.S. Department
of Transportation

Research and
Special Programs
Administration

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

**DOT-E 10390 (EXTENSION)**
**ORIGINAL December 17, 1990**

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10390 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.

OCT 2 9 1992
(DATE)

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

Dist: PHWA FRA USCG FAA

| EXEMPTION HOLDER | APPLICATION DATE |
|---|---|
| Container Products, Incorporated<br>Southfield, MI | August 31, 1992 |

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DEC 17 1990

DOT-E 10390

1. Container Products, Incorporated, Southfield, Michigan, 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 of certain hazardous materials described in paragraph 3 below in commerce subject to the requirements specified herein. This exemption authorizes the manufacture, marking, and sale of non-DOT specification steel drums, in compliance with DOT Specification 5 and 6 series drums except that the rolling hoops are constructed of round pipe sections, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Container Products, Inc.'s application dated May 4, 1990, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Those hazardous materials currently authorized to be packaged in a DOT Specification 5, 5A, 5B, 5C, 5K, 6B, 6C, or 6J steel drum.

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

5. REGULATION AFFECTED. 49 CFR 178.80-7, 178.81-7, 178.82-7, 178.83-7, 178.88-6, 178.98-5, 178.99-5, 178.100-5, 175.3.

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

7. SAFETY CONTROL MEASURES. Packaging prescribed is a non-DOT specification steel drum, in compliance with DOT Specification 5, 5A, 5B, 5C, 5K, 6B, 6C, or 6J except that the drum is fitted with rolling hoops of round-pipe section instead of the prescribed U or I-bar section. The rolling hoops are constructed of carbon steel schedule 40 pipe or type 304 stainless steel, having the following dimensions: outside diameter 1.050 inches; inside diameter 0.824 inches; wall thickness 0.113 inches; and weighing a minimum of 1.13 pounds per lineal foot. The rolling hoops are welded at the joint and held in place on the drum by swedges (not by welding).

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. 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.

c. Each packaging used under the terms of this exemption must be constructed, other than the rolling hoops, to a specification authorized for the hazardous material to be shipped.

d. Each packaging manufactured under the authority of this exemption must be marked in accordance with the marking requirements of the specification under which it was constructed, except that "DOT-E 10390" must replace the specification number marking.

e. 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.

f. 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.

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

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.:

DEC 17 1990

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, Washington, D.C., 20590. Attention: Exemptions Branch.

Dist: USCG, FAA, FHWA, FRA.