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

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

DOT-E 10292 (EXTENSION)
ORIGINAL September 28, 1990

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10292 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.

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

JAN 13 1995
(DATE)

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
Kerrco Incorporated Hastings, NE	December 1, 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.

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AUG 14 1990

DOT-E 10295

1. Sherex Chemical Company, Inc., Dublin, Ohio, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packagings described in paragraph 7 below for use in the transportation of the pyrophoric liquids described in paragraph 3 below in commerce subject to the requirements specified herein. This exemption authorizes the use of a DOT 17C metal drum with inside non-DOT specification metal containers, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Sherex Chemical Company, Inc.'s application dated October 30, 1989, and supplemental information dated April 25, 1990, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Pyrophoric liquids, n.o.s., classed as a flammable liquid.

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

5. REGULATION AFFECTED. 49 CFR 173.134.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle and cargo vessel.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a DOT Specification 17C metal drum with inside non-DOT specification welded Type 304 stainless steel containers as described on Schering AG drawing number TAAK1/34154/2, dated April 27, 1987 and accompanying undated data sheet for Laboratory Scale Containers. All other provisions of 49 CFR 173.134(a)(3) apply.

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. Drivers must have been instructed as to necessary safeguards and proper procedures in the event of fire or accident.

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

d. Each DOT Specification 17C drum and each inside non-DOT specification welded stainless steel container must be marked "DOT-E 10295". The DOT 17C drum must be marked in letters and numbers at least two inches high and the inside stainless steel container must be marked in letters and numbers at least 1/2 inch high.

9. REPORTING REQUIREMENTS. Any incident involving loss of packaging contents or packaging failure must be reported to the Office of Hazardous Materials Transportation as soon as practicable.

10. EXPIRATION DATE. June 30, 1992.

Issued at Washington, D.C.:

AUG 14 1990

(DATE)

Alan I. Roberts
Director
Office of Hazardous Materials
Transportation

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

Dist: FHWA, USCG