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

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

DOT-E 10386 (EXTENSION)
ORIGINAL September 3, 1991

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10386 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to March 31, 1995. 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.

APR 29 1993

(DATE)

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

Dist: FHWA USCG FAA

EXEMPTION HOLDER	APPLICATION DATE
Hilti Construction Chemicals, Inc. Tulsa, OK	March 26, 1993

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

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

SEP 3 1991

DOT-E 10386

1. Hilti Construction Chemicals, Inc., Tulsa, Oklahoma, 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 the hazardous materials described in paragraph 3 below, subject to the limitations and special requirements specified herein. This exemption authorizes transportation of the described hazardous materials in a container conforming with the DOT Specification 2Q except for size, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on the application dated May 25, 1990, of Hilti Construction Chemicals, Inc., submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). CB 120 and CF 124 filler foams consisting of a mixture of nonhazardous materials and nonflammable compressed gases classed as a nonflammable gas and other compressed gases which have been specifically identified to and approved in writing by the Office of Hazardous Materials Exemptions and Approvals.

4. PROPER SHIPPING NAME (49 CFR 172.101). Compressed gas, n.o.s., or Consumer Commodity, as appropriate.

5. REGULATIONS AFFECTED. 49 CFR 173.306(a)(3); 173.1200(a)(8); 178.33a.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, cargo vessel, cargo-aircraft only.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a nonrefillable non-DOT specification inside metal container conforming with the technical specifications on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA) and DOT Specification 2Q (§ 178.33a) except as follows:

> § 178.33a-2 Type and size. The maximum capacity of the containers may not exceed one liter (61 cubic inches; 33.8 fluid ounces) nominal. The maximum diameter may not exceed 2.87 inches.

§ 178.33a-7 Wall thickness. The minimum wall thickness must be 0.0094 inches.

§ 178.33a-8 Tests. One container taken at random out of each lot of 2,000 containers successively produced shall be pressure tested to destruction and shall not burst below 18 bars (270 psig). If any test container fails, 5 additional containers taken at random from the same lot must be tested. If any of the 5 test containers fail, the lot must be rejected.

§ 178.33a-9 Marking.

(a) * * *

(1) "DOT-E 10386" in lieu of "DOT 2Q"

8. SPECIAL PROVISIONS.

a. Offerors for transportation of the 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 modification 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, and all provisions of this exemption, and all applicable requirements contained in 49 CFR Parts 100-180.

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

d. Each package must be prepared and shipped in accordance with the following:

(1) Each completed cylinder as prepared for shipment must be heated until the pressure in the container is equivalent to the equilibrium pressure of the lading at 130 °F. Lading equilibrium pressure may not exceed 180 psig at 130 °F. Liquid content of lading may not completely fill the container at 130 °F. Acceptable containers may not show any evidence of leakage, distortion or other defect.

(2) The container must be packed in a strong outside packaging as prescribed in 49 CFR 173.301(k).

(3) Each outside packaging must be marked "INSIDE CONTAINERS COMPLY WITH PRESCRIBED REGULATIONS".

e. 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.

f. 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 specific manufacturing facility.

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. May 31, 1993.

Issued at Washington, D.C.:

SEP 3 1991

Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety.

(DATE)

Address all inquires 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, FAA, FHWA