U.S. Department of Transportation
Research and Special Programs Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

FEB 06 1992

DOT-E 10432

1. Florida Drum Company, Inc., Pine Bluff, Arkansas, 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 various hazardous materials described in paragraph 3 below, subject to the requirements specified herein. This exemption authorizes the manufacture, marking, and sale of non-DOT specification steel drums, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Florida Drum Company's application dated July 30, 1990, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Hazardous materials currently authorized to be packaged in DOT 17E Specification steel drums having capacities of 35-gallons or less.

4. PROPER SHIPPING NAME (49 CFR 172.101). As specified in 49 CFR 172.101; or the specific chemical name or generic commodity description, as appropriate.

5. REGULATION AFFECTED. 49 CFR 178.116-7(a), Part 173 Subparts D, E, F and H.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle and rail freight.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a non-DOT specification steel drum manufactured in conformance with DOT Specification 17E except that the top head is slightly concave; convex surfaces are provided locally in the vicinity of the two(2) openings. This specially designed head is shown on Florida Drum Drawing S-ARTICLE-007, dated June 10, 1990, on file with the Office of Hazardous Materials Exemptions and Approvals.

8. SPECIAL PROVISIONS.

a. Offerers 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. Each drum shall be marked as required by § 178.116-10 except the marking "DOT-E 10432" shall be displayed in place of "DOT 17E."

c. 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.

d. 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.

e. The weight or capacity limitations and inside packaging requirements contained in 49 CFR Part 173, Subparts D, E, F and H for DOT Specification 17E steel drums apply to packagings authorized under this exemption.

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.

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. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.)

10. EXPIRATION DATE. September 30, 1993.

Issued at Washington, D.C.:

FEB 06 1992

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 Program.

Dist: FHWA, FRA.