U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 10857 (EXTENSION)
ORIGINAL February 17, 1993

In accordance with 49 CFR 107.109 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10857 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to November 30, 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 107.109. This extension constitutes a necessary part of this exemption and must be attached to it.

for Marilyn J. Morris
Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

December 9, 1996
(DATE)

Dist: FHWA FRA USCG FAA

EXEMPTION HOLDER	APPLICATION DATE
Ansul Fire Protection Marinette, WI	October 18, 1996

U.S. Department
of Transportation

**Research and
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NOV 5 1998

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

DOT-E 10857
(FIRST REVISION)

EXPIRATION DATE: **September 30, 2000**

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Ansul Fire Protection
Marinette, WI

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain compressed gases in non-DOT specification packagings. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 172.400, Subpart F of Part 172, 173.302, Part 174 (except § 174.24), and Part 177 (except § 177.817).

5. BASIS: This exemption is based on the application of Ansul Fire Protection dated October 1, 1998, submitted in accordance with 49 CFR 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Nitrogen, compressed	2.2	UN1066	n/a

7. SAFETY CONTROL MEASURES: Packagings prescribed are non-DOT specification containers called spill control agent applicators used to contain, neutralize and/or solidify chemical spills. The applicators have an internal volume not over 1100 cubic inches and are charged to not more than 200 psig at 70°F. Each spill control agent applicator must comply with the following:

a. Be designed and fabricated with a burst pressure of not less than six times the charged pressure at 70°F when shipped.

b. Be tested without evidence of failure or damage, to at least 600 psig before initial shipment. For subsequent shipments, must be in compliance with the retest requirements of the Occupational Safety and Health Administration Regulations of the Department of Labor, 29 CFR 1910.157(e).

c. Have contents which are not Class 3 (flammable), Class 6 (poisonous) or Class 8 (corrosive) as defined in 49 CFR Part 173.

d. Spill control agent applicators must be shipped as an inside packaging within a strong outside packaging.

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. Each spill control agent applicator must be plainly and

durably marked "DOT-E 10857".

c. Each spill control agent applicator must be marked to indicate the year the initial pressure test was performed and with the words "MEETS DOT REQUIREMENTS".

d. Shipments of spill control agent applicators authorized under this exemption are excepted from labeling (except when offered for transportation by air), Subpart F of Part 172, Part 174 except §174.24, and from Part 177 except §177.817.

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

10. MODAL REQUIREMENTS: None as a requirement of this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in 49 CFR 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by 49 CFR 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. 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 inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

NOV 5 1998

for 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, 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.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

Dist:FHWA, FAA, USCG, FRA
PO: am