U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

APR 11 2003

DOT-E 12926
(FIRST REVISION)

EXPIRATION DATE: February 28, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: S.C. Johnson & Son, Inc.
Racine, WI

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain aerosols for consumer testing in a non-DOT specification packaging system as specified herein. This exemption provides no relief from the Hazardous Materials Regulations (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, 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 § 173.306(a)(1) in that the capacity of the container may not exceed 4 fluid ounces (7.22 cubic inches), except as specified herein.

5. BASIS: This exemption is based on the application of S.C. Johnson & Sons dated April 11, 2003 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Aerosols, *non-flammable (each not exceeding 1 L capacity)*	2.2	UN1950	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification packaging system consisting of an inner plastic container and a full open head steel outer packaging.

(1) The inner packaging is a plastic container with a maximum pressure of 100 psig at 70°F and a volume not exceeding 32 cubic inches.

(2) The outer packaging is a non-DOT specification full opening head, steel salvage cylinder and must be in full conformance with a current copy of DOT-E 10987.

b. TESTING - The outer packaging must be tested, inspected, and maintained in accordance with the requirements specified in DOT-E 10987.

c. OPERATIONAL CONTROLS -

(1) The amount of liquid in each inner container may not exceed 80% of its volumetric capacity.

(2) The amount of gas (carbon dioxide) may not exceed 2.3 grams per inner container.

(3) No more than 75 inner containers may be packaged inside an outer container. Inner containers must be placed in the outer packaging so as to prevent excessive movement and damage during transportation.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption and DOT-E 10987 must be maintained at each facility where the package is offered or reoffered for transportation.

c. Each outer packaging must be marked "DOT-E 12926" in addition to the markings required by DOT-E 10987.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption and DOT-E 10987 must be carried aboard each motor vehicle used to transport packages covered by 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. 5101 et seq:

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

Each "Hazmat employee", as defined in § 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 §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this 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. (Sections 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 in Washington, D.C.:

APR 11 2003

Robert A. McGuire
for 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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: KFW/sln