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

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

DOT-E 7440 (EXTENSION)
FOURTH REVISION December 5, 1989

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 7440 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to September 30, 1994. 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

SEP 30 1993
(DATE)

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
Revlon Professional Products Group Jacksonville, FL	August 27, 1993

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.

U.S. Department
of Transportation
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DEC - 5 1989

400 Seventh Street, S.W.
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DOT-E 7440
(FOURTH REVISION)

1. Revlon Professional Products, Inc., Jacksonville, Florida, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of a nonflammable gas for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes an aerosol dispensing container conforming, in part, with DOT Specification 2P as prescribed in 49 CFR 178.33, and provides no relief from any regulation other than as specifically stated.

2. **BASIS.** This exemption is based on Revlon Professional Products Incorporated's applications dated March 6 and 8, 1989 and supplemental information dated, July 18 and October 20, 1989, submitted in accordance with 49 CFR 107.105 and 107.103 and the public proceeding thereon.

3. **HAZARDOUS MATERIALS (Descriptor and class).** A solution of nitrogen, isopropyl alcohol and ammonia, classed as nonflammable gas or ORM-D.

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)(i) and (v); 173.1200(a)(8)(ii)(A) and (E); 178.33.

6. **MODES OF TRANSPORTATION AUTHORIZED.** Motor vehicle, rail freight and cargo vessel.

7. **SAFETY CONTROL MEASURES.**

(a) Packaging prescribed is a non-DOT specification one piece, impact-extruded, cylindrical, aluminum container. Maximum equilibrium pressure of container at 130°F may not exceed 60 psig. Container must comform with DOT Specification 2P (§ 178.33) except as follows:

§ 178.33-2 Type and size.

Containers must be seamless with crimped end closure.

§ 178.33-5 Material.

Material must be aluminum alloy 1050, 1060, 1100, or 1170.

§ 178.33-7 Wall thickness.

Minimum wall thickness must be no less than 0.016 inches.

§ 178.33-8 Tests.

(a) Burst Test:

(1) For the purpose of the qualification burst tests each 1000 containers or less, successively produced as a batch or part there of, shall constitute a lot.

(2) One container out of every lot produced must be pressure tested to destruction and may not burst below 260 psig. The tested container must be complete with the ends assembled. If the test container fails the burst test, the lot must be rejected. However, an additional 5 randomly selected containers may be burst test to qualify that lot. If any of the additional test containers fail the burst test, that lot must be rejected.

(b) Leak Test: When the propellent in the aerosol can is a non-liquefied gas and the maximum equilibrium pressure of the contents at 130°F (55°C) does not exceed 60 psig, the following leak test is permitted in lieu of the water bath test prescribed in 49 CFR 173.306(a)(3)(v).

(1) For the purpose of leak test, each 1500 containers or less, successively filled with product shall constitute a lot.

(2) A total of 36 containers, selected randomly from the beginning, middle, and the end of a lot must pass the following leak test:

Each container must be pressurized to 50 psig and then heated until the temperature of the contents reaches 130°F. The test containers must be maintained at 130°F for a minimum of 1 hour, before cooling to room temperature and having the pressure rechecked. For a successful test the pressure drop may not be greater than 5 psi.

(3) If any test container fails the above prescribed leak test, the entire lot must be rejected. However, individual containers in that lot may be accepted by successfully passing the following leak test.

The fill pressure and temperature of the remaining containers in the lot must be recorded. The containers are then heated until the temperature of the contents reach 130°F. Containers must be maintained at 130°F for a minimum of 1 hour before cooling to room temperature or fill temperature whichever is lower. The container pressure is then checked and compared with the fill pressure. Any container which indicates pressure drop greater than 5 psig must be rejected.

§ 178.33-9 Marking

(a) Each container must be marked; by printing, lithographing, embossing, or stamping; to show

(1) "DOT E-7440"

(b) Containers must be packaged in accordance with 173.301(k).

8. **SPECIAL PROVISIONS.**

a. Persons who receive packages covered by this exemption may reship them pursuant to the provisions of 49 CFR 73.22a.

b. A copy of this exemption must be carried aboard each cargo vessel used to transport packages covered by this exemption.

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

10. **EXPIRATION DATE.** November 1, 1991.

Issued at Washington, D.C.:

DEC - 5 1980

Alan I. Roberts
Director
Office of Hazardous Materials Transportation

(DATE)

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, FRA, USCG.