U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 8709
(EXTENSION)

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 8709 is hereby extended by changing the expiration date in paragraph 10 from November 15, 1983 to September 15, 1985.

This extension applies only to party(s) listed below based on the application(s) received in accordance with 49 CFR 107.105. All other terms of the exemption remain unchanged. This extension forms part of the exemption and must be attached to it.

OCT 31 1983

Alan I. Roberts
Associate Director for
Hazardous Materials Regulation
Materials Transportation Bureau

(DATE)

Dist: FHWA, FRA, USCG

EXEMPTION HOLDER	APPLICATION DATE
Delta Drum, Inc. Crete, IL	August 17, 1983

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

DOT-E 8709
(FIRST REVISION)

1. Delta Drum Incorporated, Crete, Illinois, is hereby granted an exemption from those provisions of this Department's Hazardous Materials Regulations specified in paragraph 5 below to manufacture, mark, and sell the packaging described in paragraph 7 below for use in the transportation of certain corrosive liquids, flammable liquids and the oxidizer described in paragraph 3 below in commerce subject to the requirements specified herein. This exemption authorizes the use of a non-DOT Specification 55-gallon polythylene Specification 34 type packaging, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Delta Drum, Incorporated's application dated August 21, 1981, and April 11, 1983, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class).

a. Corrosive liquids, classed as corrosive material, for which DOT-34 reusable polyethylene container is prescribed in 49 CFR Part 173.

b. Hydrogen peroxide solution in water containing 52 percent or less hydrogen peroxide by weight, classed as an oxidizer.

c. Flammable liquids which are specifically identified to, and acknowledged in writing by, the Office of Hazardous Materials Regulation (OHMR) prior to the first shipment.

4. PROPER SHIPPING NAME (49 CFR 172.101). The specific chemical name or generic commodity description (e.g. Flammable liquid, n.o.s.), as appropriate.

5. REGULATION AFFECTED. 49 CFR Part 173, Subpart D and F; 178.19.

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

7. SAFETY CONTROL MEASURES.

a. Packaging authorized is a non-DOT specification reusable, blowmolded, polyethylene container of 55-gallon capacity for use without overpack. Removable head is not authorized. Each container must be made in compliance with DOT Specification 34 (49 CFR 178.19) except as follows:

§178.19-3(a)- (add) For marked (rated) capacity of 55 gallons the minimum thickness measured on any point on the container is 0.125 inch.

§178.19-6(a)(1)-Does not apply. Instead, each drum must be marked DOT-E 8709 followed by the rated capacity of the container. These marks shall be understood to certify that the container complies with all specification requirements.

§178.19-7(c)(2) - Static compression value is 2,400 pounds.

b. Containers must possess the chemical and physical properties as reported to the OHMR by the applicant's petition dated August 21, 1981, Test Report dated August 27, 1981, and in accordance with Delta Drum, Inc., Drawing dated July 20, 1981.

c. Any change of design, materials or process method must be approved by the OHMR.

8. SPECIAL PROVISIONS.

a. Shippers may use the packaging covered by this exemption pursuant to 49 CFR 173.22a.

b. Reuse of container must be in accordance with applicable requirements of 49 CFR 173.28.

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

d. Packaging for hydrogen peroxide must have a vented closure to prevent accumulation of internal pressure. The head with the closure must be marked "KEEP THIS END UP".

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package must be reported to the OHMR as soon as practicable.

10. EXPIRATION DATE. November 15, 1983.

Issued at Washington, D.C.:

AUG 23 1983

Alan I. Roberts
Associate Director for
Hazardous Materials Regulation
Materials Transportation Bureau

(DATE)

Address all inquiries to: Associate Director for Hazardous Materials Regulation, Materials Transportation Bureau, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C., 20590. Attention: Exemptions Branch.

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