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

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

DOT-E 9870 (EXTENSION)
ORIGINAL March 7, 1988

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 9870 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to October 31, 1993. 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 and the public proceeding thereon. This extension constitutes a necessary part of this exemption and must be attached to it.

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

NOV 29 1991
(DATE)

Dist: FHWA FRA USCG

| EXEMPTION HOLDER | APPLICATION DATE |
|---|---|
| Bergen Barrel and Drum Co.<br>Kearny, NJ | October 22, 1991 |
| Dixie Poly-Drum Corp<br>Yemassee, SC | October 22, 1991 |

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MAR 7 1988

1. Bergen Barrel & Drum Company, Kearney, N.J., 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 of certain corrosive liquids, flammable liquids, class B poisonous liquids, and the oxidizer described in paragraph 3 below in commerce subject to the requirements specified herein. This exemption authorizes the use if a non-DOT Specification 15-, 20-, 30-, 35-, and 55-gallon polyethylene drum conforming with DOT Specification 34 except for having one opening of 2.75-inch in diameter and provides no relief from any regulation other than as specifically stated. Each of the following is hereby granted the status of a party to this exemption:

Dixie Poly-Drum Corporation, Yemassee, S.C. - PTE-1.

2. BASIS. This exemption is based on Bergen Barrel & Drum Company's application dated November 11, 1986, and subsequent letter of May 20, 1987, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon. The granting of party status is based on the following application submitted in accordance with 49 CFR 107.111 and the public proceeding thereon:

Dixie Poly-Drum Corporation's application dated January 19, 1987.

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 173 and other corrosive liquids, classed as corrosive materials, specifically identified to, and acknowledged in writing by, the Office of Hazardous Materials Transportation (OHMT) prior to the first shipment.

b. Tin tetrachloride, classed as corrosive material.

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

d. Flammable liquids or Class B poisonous liquids specifically identified to, and acknowledged in writing by, the OHMT prior to the first shipment.

4. PROPER SHIPPING NAME (49 CFR 172.101). The specific chemical name or generic commodity description, as appropriate.

5. REGULATION AFFECTED. 49 CFR Part 173., Subpart D, F and H; 173.247; 173.266; 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, rotationally molded, polyethylene container of 15-, 20-, 30-, 35- and 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:

| | | |
|---|---|---|
| i. § 178.19-4(a) | - | Openings shall not exceed 2.75 inches in diameter. |
| ii. § 178.19-6(a)(1) | - | Does not apply. Instead, each drum must be marked DOT-E 9870 followed by the rated capacity of the container. These marks shall be understood to certify that the container complies with all specification requirements. |

b. Any change of design, materials or process method must be approved by the OHMT.

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".

e. 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.

f. Each packaging manufactured in accordance with the requirements of this exemption must be marked in a manner which identifies the physical location (city and state) of the facility at which it is manufactured.

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

10. EXPIRATION DATE. February 28, 1990.

Issued at Washington, D.C.:

Elaine Economides, Deputy 3/7/88

for Alan I. Roberts (DATE)
Director
Office of Hazardous Materials Transportation

Address all inquires 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: USCG, FHWA, FRA