U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 9981 (EXTENSION)
ORIGINAL November 9, 1988
CORRECTED COPY

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 9981 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to May 31, 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.

for J. Suzanne Hedgepeth

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

JUL 20 1992
(DATE)

Dist: FHWA

EXEMPTION HOLDER	APPLICATION DATE
Garrison Industries, Inc. El Dorado, AR	May 13, 1992

U.S. Department of Transportation

Research and Special Programs Administration

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

NOV 9 1988

DOT-E 9981
(CORRECTED COPY)

1. Garrison Industries, El Dorado, Arkansas, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of a certain oxidizer for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the use of a DOT Specification 42D aluminum drum of 30-gallon capacity for shipment of fuming nitric acid, instead of authorized DOT-42B aluminum drums, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Garrison Industries' application dated May 19, 1988, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon and supplemental letter dated October 28, 1988.

3. HAZARDOUS MATERIALS (Descriptor and class). Nitric acid, fuming, classed as oxidizer.

4. PROPER SHIPPING NAME (49 CFR 172.101). Nitric acid, fuming

5. REGULATION AFFECTED. 49 CFR 173.3a; 173.268.

6. MODE OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed is a DOT specification 42D aluminum drum, not exceeding 30-gallon capacity.

b. Each DOT Specification 42D drum must:

1. Be tested in accordance with 49 CFR 178.81-13 except that the hydrostatic test may be performed at a pressure of 60 psig in lieu of the cited 80 psig.

2. Pass a leakage test at a pressure of at least twice the pressure of the lading at 130°F.

3. Have closures closed to a torque prescribed by the closure manufacturer with tightness being measured by a device capable of measuring torque.

4. Have closures physically held in place by any means capable of preventing back-off or loosening of closure by impact or vibration during transportation.

5. Have closures that are provided with a secondary, aluminum cap (shown as item A-967-10 on drawing furnished in petitioner's letter dated October 28, 1988) that is properly applied and torqued to 75 psig, is capable of resisting 15 psig of internal pressure, and is secured to the drum by means of a tie-wire which is of such a nature so as to serve as a tamper-proof indicator

(because the cap is incapable of removal from the drum closure without cutting of the wire). Further, each drum must be overpacked as provided for in Paragraph 8(b)(4).

8. SPECIAL PROVISIONS.

a. Persons who receive packages covered by this exemption may reship them pursuant to the provisions of 49 CFR 173.22a.

b. The following additional requirements apply to the transportation of materials requiring special packaging approval as specified in 49 CFR 173.3a.

1. This exemption serves as a special packaging approval under the provisions of 49 CFR 173.3a(a)(3).

2. For highway transportation, each motor carrier used to transport packagings authorized by this approval must have a safety rating, as assigned by the Office of Motor Carriers Safety Field Operations (OMCSFO), Federal Highway Administration, of "Satisfactory". Written verification of the safety rating for each motor carrier must be obtained at least once each year. A copy of the safety rating notification letter for each motor carrier, as received from OMCSFO must be submitted with the annual report required by this exemption.

3. When shipping packagings described in this exemption without a secondary overpack, the shipper must load the material, block and brace the material for transportation in accordance with a prepared plan which precludes stacking (double decking) and must seal the motor vehicle used. Shipments must be from one origin to one destination only. No intermediate pick-up or delivery is authorized.

4. When shipping overpacked packagings described in this exemption, the overpack must be an all 16 gauge steel drum conforming to 49 CFR 173.3(c), except "Salvage Drum" marking is not authorized. The inside packaging must be isolated from the overpack by a shock-mitigating, non-reactive material. There must be a minimum of two inches of cushioning material around the body of the inner packaging, and at least three inches on the top and bottom, between the inner packaging and outer drum.

5. In addition to the requirements of 49 CFR 171.15 and 171.16, the Exemptions Branch, Office of Hazardous Materials Transportation (OHMT) must be notified of any incident involving damage to the packaging or loss of contents of material shipped under this exemption.

6. The Exemptions Branch, OHMT shall be advised of the causes of the incident and any remedial action taken, as a result of the incident as soon as practical after its occurrence.

7. The Exemptions Branch, OHMT must be advised annually, within 30 days after the end of the calender year, of the shipping experience of material covered by this approval. Failure to comply may result in immediate suspension of this exemption.

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the packages must be reported to the Office of Hazardous Materials Transportation as soon as practicable.

10. EXPIRATION DATE. September 25, 1990.

Issued at Washington, D.C.:

NOV 9 1988

(DATE)

Alan I. Roberts
Director
Office of Hazardous Materials
Transportation

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

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