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

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

DOT-E 10161 (EXTENSION)
FIRST REVISION August 9, 1991

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10161 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.

for Suzanne Hedgepeth
Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

FEB 26 1993
(DATE)

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
Smurfit Plastic Packaging, Inc. Wilmington, DE	December 15, 1993

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
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AUG 9

DOT-E 10161
(FIRST REVISION)

1. Smurfit Plastics Packaging, Inc. (formerly Container Corporation of America), Wilmington, Delaware, 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 in commerce of the materials identified in paragraph 3 below in commerce subject to the requirements specified herein. This exemption authorizes the use of non-DOT specification full removable head polyethylene drums of 20-, 25-, and 30-gallon capacity for the shipment of certain corrosive, flammable, Poison B, and oxidizer solids, and provides no relief from amy regulation other than as specifically stated.

2. BASIS. This exemption is based on Smurfit Plastics Packaging Inc.'s application dated May 10, 1991, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class).

a. Ammonium perchlorate; Trichloro-s-triazinetrione dry, (containing over 39% available chlorine); potassium dichloro-s-triazinetrione, dry (containing more than 39% available chlorine); Mono-(Trichloro) tetra-(monopotassium dichloro)-penta-s-triazinetrione (containing over 39% available chlorine); classed as oxidizers.

b. Potassium hydroxide, dry, solid, flake, bead, or granular; caustic soda, dry, solid, flake, bead or granular; phosphoric acid, purification sludge having the basic composition: 2% As_2S_3, 33% filter acid, 42% P_2O_5, 23% water; p-nitro benzoyl chloride; classed as corrosive materials.

c. Those corrosive, flammable, poison B, and oxidizer solids currently authorized to be packaged in a DOT Specification 21C fiber drum.

4. PROPER SHIPPING NAME (49 CFR 172.101). The specific chemical name or generic commodity description, as appropriate, or the specific chemical name or generic commodity description, as appropriate, preceded by the word "waste".

5. REGULATION AFFECTED. 49 CFR Part 173, Subparts E, F, and H.

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

7. SAFETY CONTROL MEASURES. Packaging prescribed are non-DOT specification blow-molded high density polyethylene containers, with removable polyethylene head, conforming to the Container Corporation of America drawings submitted with the 4/19/89 application, and the following:

a. Rated capacity of the container is 20-, 25-, or 30-gallons.

b. The removable head is secured to the body of the container with a lever-action clamp band.

c. The drum, as prepared for shipment, must be capable of withstanding the following:

i. The vibration and compression tests specified in 49 CFR 178.19-7(c)(1) and (c)(2).

ii. A four foot drop onto an unyielding surface and impacting flat on the top head, in addition to the drop tests specified in 49 CFR 178.224-2(b).

d. The container may be equipped with one 2-inch closure and one 3/4-inch closure in the removable head.

8. SPECIAL PROVISIONS.

a. Offerors for transportation of the hazardous materials specified in this exemption may use the packaging described in this exemption for the transportation of such hazardous materials so long as no modifications or changes are made to the packages, all terms of this exemption are complied with, and a copy of the current exemption is maintained at each facility from which such offering occurs.

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

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

d. The net weight limitations and inside packaging requirements contained in 49 CFR Part 173, Subparts E, F, and H for DOT Specification 21C fiber drums apply to the packaging authorized under this exemption.

e. Moisture barrier protection required for certain materials is waived when the containers are used under this exemption.

f. Each container body must be marked in accordance with 49 CFR 178.224-4 except "DOT-E 10161" must be marked in lieu of "DOT-21C." Additionally, each cover or lid must be marked "DOT-E 10161."

g. 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.

h. Each container body, and each cover or lid 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 or marked with a registration symbol designated for specific manufacturing facility.

i. Shippers using the packaging covered by this exemption must comply with the shipping paper, marking, labeling, and placarding requirements of 49 CFR Part 172; all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 100-180.

9. REPORTING REQUIREMENTS. Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable.

10. EXPIRATION DATE. May 31, 1993.

Issued at Washington, D.C.

AUG 9 1991

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

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

Dist: USCG, FHWA, FRA