U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 10230 (EXTENSION)
SECOND REVISION September 30, 1993

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10230 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to July 31, 1996. 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.

Suzanne Hedgepeth

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

AUG 24 1994
(DATE)

Dist: FHWA FRA

EXEMPTION HOLDER	APPLICATION DATE
21st Century Containers, Ltd. Atlanta, GA	July 22, 1994

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.

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DOT-E 10230
(SECOND REVISION)

SEP 30 1993

1. 21st Century Containers, Ltd. (formerly: Georgia Polymer, Inc.), Atlanta, Georgia, 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 corrosive liquids, flammable liquids, combustible liquids, an oxidizer described in paragraph 3 below in commerce subject to the requirements specified herein. This exemption authorizes the use of a non-DOT specification, injection molded, crosslink thermoset olefin hydrocarbon portable tank for the shipment of corrosive liquids, flammable liquids, or an oxidizer, and provides no relief from any regulation other than as specifically stated. **NOTE:** Reference to 49 CFR sections in this exemption are to regulations in effect on September 30, 1991.

2. BASIS. This exemption is based on 21st Century Container, Limited's application dated January 25, 1993, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon, and letter dated May 18, 1993, submitted in accordance with 49 CFR 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class).

(a) Corrosive liquids for which a DOT-34 reusable polyethylene container is prescribed in 49 CFR Part 173, and which have no secondary hazards and a vapor pressure of no greater than 14.7 psia at 130°F., classed as a corrosive material.

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

(c) Paint and adhesives classed as flammable liquids which are compatible with polyethylene.

(d) Isopropyl alcohol, methyl alcohol, ethyl alcohol, and solutions thereof, classed as flammable liquids; other flammable liquids compatible with polyethylene which have no secondary hazards and have a flash point of 73°F. or higher; combustible liquids and other flammable liquids which have been specifically identified to, and acknowledged in writing by the Office of Hazardous Materials Exemptions and Approvals (OHMEA) prior to the first shipment.

NOTE: Effective October 1, 1993, the appropriate numeric hazard class or division descriptions must be used in place of the written hazard class descriptions.

4. PROPER SHIPPING NAME (49 CFR 172.101). As specified in 49 CFR Subpart B of Part 172.

5. REGULATION AFFECTED. 49 CFR 173.128, 173.132, 173.266, Part 173 Subpart D and F.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle and rail freight.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a non-DOT specification, injection molded portable tank having a nominal water capacity of 360 gallons, as shown on Georgia Polymer Inc. drawings number AT-360-006 dated June 13, 1991, and AT-360-007 dated June 11, 1991. Each portable tank must have wall thicknesses as described in drawing number 5008 dated July 3, 1991 on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). Each portable tank must be injection molded from crosslink thermoset olefin hydrocarbon polymer (Metton 1539 as specified in the application) or material having equivalent or superior material properties which has been specifically identified and is acceptable to the OHMEA. The tank will further be transported mounted upon a pallet using bandings, as described in the application.

a. The tank must be in conformance with the provisions of 49 CFR 178.19 except as follows:

i. 178.19-3. -Does not apply.

ii. 178.19-4. -Does not apply.

iii. 178.19-6(a)-Does not apply. Instead, each portable tank must be permanently marked by embossment or with a metal certification plate permanently affixed to each tank. Where the tank is marked by embossment on the polyethylene unit, the Serial number and Date of Manufacture may be etched or stamped into the polyethylene. Where stamping or etching is performed, it may not reduce the marked area thickness below the minimum thickness prescribed herein. The markings must be in letters and numbers at least 1/4-inch high located on the side of the tank. The markings shall be understood to certify that the portable tank complies with all requirements of this exemption and must contain at least the following information:

DOT-E 10230 portable tank
Tank manufacturer _____
Test pressure: 15 psig
Serial number _____
Date of manufacture (month and year) _____
Tare weight _____ lbs.
Rated gross weight _____ lbs.
Capacity _____

iv. 178.19-7(a)(3) - Changed to read: Each portable tank shall be tested by retaining for 5 minutes, hydrostatic pressure of at least 15 psig at equilibrium without leakage or pressure drop.

v. 178.19-7(c)(2) - Does not apply.

b. Each tank must be fitted with a pressure relief device that will limit the pressure in the tanks to 15 psig and is in accordance with 49 CFR 178.253-4 except as follows:

i. 178.253-4(c)(1) - The pressure relief device must open at not less than 10 psig and not over 15 psig. The minimum venting capacity for pressure activated vents must be 6,000 SCFH at not more than 15 psig.

ii. 178.253-4(c)(3) - A fusible device that will function at a temperature no greater than 250°F may be used provided the vapor pressure in the tank at 250°F does not exceed 15 psig.

c. Each portable tank must be capable of satisfactorily withstanding the drop test and hydrostatic pressure test prescribed in 49 CFR 178.19-7(a), the stacking test prescribed in 49 CFR 178.251 - 5(a)(2) and the vibration test prescribed in 49 CFR 178.253-5(a)(1).

d. The minimum thickness of the portable tank and lid, measured at any point on the container, is 0.145 inch as shown in Georgia Polymer, Inc. drawing 5008 dated July 7, 1991.

e. The portable tank must possess the chemical and physical properties as reported to the OHMEA by the petitioner's letter dated July 30, 1991 and possess the chemical resistance as specified in the petitioner's letter dated June 26, 1991.

f. Any changes in design, resin, or process methods must be approved by the OHMEA. Prototype test results for the tests required in paragraph 7.c. of this exemption must accompany any request for changes in design, resin, or process methods.

g. Reuse of any portable tank must be in accordance with the applicable requirements of 49 CFR 173.28 and 173.32(f) as modified herein. Each portable tank must be hydrostatically retested in accordance with 49 CFR 173.32(f) as applicable to DOT Specification 57 portable tanks, at a test pressure of 15 psig for 5 minutes without a drop in pressure or leakage. Any tank that fails must be rejected and may not be used again for the transportation of hazardous materials. The date of the most recent periodic retest must be marked on the tank near the tank identification markings required in Paragraph 7.a.iii. of this exemption. The owner of the tank or his authorized agent must retain a written record indicating the date and results of all required tests and the name and address of the tester, until the next retest has been satisfactorily completed and recorded.

h. Portable tanks with repaired bodies are not authorized.

i. Commodities must be compatible with the olefin hydrocarbon polymer portable tank, and may not permeate the material of construction to an extent that a hazardous condition could be caused during transportation and handling.

j. Portable tanks for hydrogen peroxide must have a vented closure to prevent accumulation of internal pressure.

k. Any fitting used must be protected in accordance with 49 CFR 178.253-3.

l. The sides of each portable tank must be marked "KEEP THIS END UP" in two places, 180° apart, with an arrow pointing to the tank top.

m. Tanks must always be shipped with the portable tank banded to a pallet as shown in the drawing accompanying the supplemental information dated June 26, 1991 and May 18, 1993.

8. <u>SPECIAL PROVISIONS</u>.

a. Offerers 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. Each portable tank must be plainly marked on two sides near the middle, in letters and numbers at least two inches high on a contrasting background, "DOT-E 10230".

c. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated for a specific manufacturing facility.

d. Shipments by rail must be in compliance with the requirements of 49 CFR 174.63. Portable tanks may not be transported on flatcars or trailers on flatcars, except under conditions approved by the Federal Railroad Administration.

e. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 100-180.

f. 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.

9. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

10. EXPIRATION DATE. September 30, 1994.

Issued at Washington, D.C.

SEP 30 1993

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, Department of Transportation, Washington, D.C. 20590.
Attention: Exemptions Program.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Dist: FHWA, FRA