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

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

**DOT-E 10360 (EXTENSION)**
**ORIGINAL December 17, 1990**

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10360 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.

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

OCT 29 1992
(DATE)

Dist: FHWA

| EXEMPTION HOLDER | APPLICATION DATE |
|---|---|
| ICI Americas Inc.<br>Wilmington, DE | August 31, 1992 |

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DEC 17 1990

DOT-E 10360

1. ICI Americas Inc., Wilmington, Deleware, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of a class B poison for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transportation of a class B poison in a polyethylene packaging not authorized in 49 CFR, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on an application from ICI Inc. dated March 29, 1990, and supplemental information submitted October 18, 25, and 30, 1990, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Bipyridilium pesticide liquids, n.o.s. (Paraquat) classed as a Class B poison.

4. PROPER SHIPPING NAME (49 CFR 172.101). Bipyridilium pesticide liquid, n.o.s.

5. REGULATION AFFECTED. 49 CFR 173.346.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed is a rotationally molded polyethylene tank constructed of Phillips TR-938 or Quantrum high density linear polyethylene resin. The polyethylene tank shall be as shown on Snyder Industries Drawing No.s D-1720 dated August 7, 1989 and C1819 dated December 4, 1989 on file with the Office of Hazardous Materials Exemptions and Approvals. The wall thickness at any point on the tank shall be at least 0.25 inches. The total volumetric capacity of the tank is 117 gallons, and in use tank may not be filled to more than 110 gallons. The tank shall be equipped with a pump which is located in a well in the top of the tank and protected from mechanical shock and damage. The opening in the tank to which the pump is attached shall be equipped with a self-closing valve so that if the pump is accidentally knocked off, the contents of the tank will remain intact.

b. Tanks shall be capable of passing:

i. Six foot drop test at ambient temperature when containing 110 gallons of water.

ii. Four foot drop test at 0°F when containing 110 gallons of antifreeze mixture.

iii. Hydrostatic pressure test of 15 psig maintained for 5 minutes.

iv. Vibration test specified in 49 CFR 178.19.

v. IZOD impact test at ambient temperature of 0.554 ft-lb.

vi. IZOD impact test at 0°F of 0.373 ft-lb.

vii. Static load test - both vertical and lateral orientation - 8000lb - maximum permitted delfection vertical is 1 inch and horizontal is 8.25 inches.

8. SPECIAL PROVISIONS.

a. Persons who receive packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. Tanks shipped under this exemption shall conform with 49 CFR 173.24(d).

c. Each tank must be plainly marked in two locations, 180° apart, near the middle, in letters at least two inches high on a contrasting background, "DOT-E 10360". Where marking is by etching or stamping on the polyethylene tank, it may not reduce the marked area thickness below the minimum thickness prescribed in paragraph 7 above.

d. The polyethylene tank must be shipped in the pallet described in the petitioner's application of March 29, 1990.

e. Carriers transporting tanks authorized under the terms of this exemption must hold a "Conditional" or "Satisfactory" safety rating as prescribed in 49 CFR Part 385.

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

10. EXPIRATION DATE. November 30, 1992.

Issued at Washington, D.C.:

DEC 17 1990

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: FHWA.