U.S. Department
of Transportation

Research and
Special Programs
Administration

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

DOT-E 9499 (EXTENSION)
ORIGINAL November 12, 1985

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 9499 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to January 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.

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

FEB 19 1991
(DATE)

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
Cleveland Container Corporation Cleveland, OH	January 3, 1991

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DOT-E 9499

1. Cleveland Container Corporation, Cleveland, Ohio, is hereby granted an exemption from those provisions of this Department's Hazardous Materials Regulations specified in paragraph 5 below to manufacture, mark, and sell the packaging described in paragraph 7 below for use in the transportation of the corrosive liquids and flammable liquids described in paragraph 3 below in commerce subject to the requirements specified herein. This exemption authorizes the manufacture, marking and sale of 3 1/2-, 5-, 5 1/2- and 6-gallon capacity DOT Specification 35 removable head polyethylene drums, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Cleveland Container Corporation's application dated August 12, 1985, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Corrosive liquids, classed as corrosive materials, for which DOT Specification 34 polyethylene container is prescribed in 49 CFR Part 173; and flammable liquids, classed as flammable liquids, with flash point above 20°F, for which the packaging requirements of 49 CFR 173.119(b) are applicable and which are specifically identified to, and acknowledged in writing by, the Office of Hazardous Materials Regulation (OHMR) prior to the first shipment. Only those commodities which will not react with polyethylene and result in container failure are authorized. The specific gravity of the commodity must be no more than 1.2, and vapor pressure may not exceed 18 psia at 130°F.

4. PROPER SHIPPING NAME (49 CFR 172.101). Corrosive liquid, n.o.s.; Flammable liquid, n.o.s.; or the specific chemical name, as appropriate.

5. REGULATION AFFECTED. 49 CFR, Part 173, Subparts D and F; 178.19.

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

7. SAFETY CONTROL MEASURES. Packaging prescribed is a DOT Specification 35 removable head molded polyethylene container without overpack, having a rated capacity of 3 1/2-, 5-, 5 1/2-, and 6-gallons. Each container must:

a. Be constructed of polyethylene with a minimum thickness of 0.090 inch, measured at any point.

b. Be qualified in accordance with the tests prescribed in 49 CFR 178.19-7, except that the requirements for hydrostatic pressure shall be five psi for five minutes. Results of tests to be as specified in Cleveland Container Corporation's letter of August 12, 1985, and test reports included therein.

c. Be marked "NRC", for non-reusable container.

8. SPECIAL PROVISIONS.

a. Shippers may use the packaging covered by this exemption pursuant to 49 CFR 173.22a.

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

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

10. EXPIRATION DATE. October 15, 1987.

Issed at Washington, D.C.:

NOV 12 1985
(DATE)

Alan I. Roberts
Associate Director for
Hazardous Materials Regulation
Materials Transportation Bureau

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

Dist: USCG, FHWA, FRA