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

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

DOT-E 9733 (EXTENSION)
SECOND REVISION April 7, 1991

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 9733 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to June 30, 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.

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

JUL 31 1991
(DATE)

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
North American Packaging Corporation Danbury, CT	May 28, 1991

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

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

APR 7 1991

DOT-E 9733
(SECOND REVISION)

1. North American Packaging Corporation of Danbury, CT (formerly Rheem Manufacturing Company), 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 oxidizer solids described in paragraph 3 below subject to the requirements specified herein. This exemption authorizes the manufacture, marking and sale of DOT Specification 35 polyethylene drums of five or six-gallon capacity for the shipment of chromic acid mixture, dry, or chromic acid, solid, classed as oxidizers, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Rheem Manufacturing Company's applications dated May 1, 1989, August 28, 1990 and October 15, 1990, submitted in accordance with 49 CFR 107.103 and 107.105 and the public proceeding thereon and supplemental letter from North American Packaging Corporation dated September 7, 1990.

3. HAZARDOUS MATERIALS (Descriptor and class). Chromic acid mixture, dry, and Chromic acid, solid, classed as oxidizers.

4. PROPER SHIPPING NAME (49 CFR 172.101). Chromic acid mixture, dry, and Chromic acid, solid.

5. REGULATION AFFECTED. 49 CFR 173.164.

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

7. SAFETY CONTROL MEASURES. Packaging prescribed are DOT Specification 35 polyethylene drums, with full removable heads, of five or six-gallon capacity. The maximum allowable gross weight for the five and six gallon capacity drums are 50 pounds and 60 pounds, respectively.

8. SPECIAL PROVISIONS.

a. Offerors for transportation of 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. Effective May 1, 1991, the container body and cover or lid must be permanently marked "DOT-E 9733".

c. A copy 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.

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

e. 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.

f. 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.

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. July 31, 1991.

Issued at Washington, D.C.:

APR 7 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.