JUL 2 1996

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

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

DOT-E 10463
(SECOND REVISION)

1. Allied Universal Corp., Miami, Florida, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to transport the non-DOT specification packages prescribed herein, containing a certain Class 8 material, for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the shipment of hypochlorite solution in DOT Specification 2E90 1 gallon polyethylene bottles overpacked in a non-DOT specification polyethylene drum with no lid, and provides no relief from any regulation other than as specifically stated. Reference to 49 CFR sections in this exemption are to regulations in effect on September 30, 1991.

2. BASIS. This exemption is based on Allied Universal Corporation's application dated May 9, 1996, submitted in accordance with 49 CFR 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class). Hypochlorite solution, classed as Class 8.

4. PROPER SHIPPING NAME (49 CFR 172.101). Hypochlorite solution (containing more than 7% available chlorine by weight).

5. REGULATION AFFECTED. 49 CFR 173.277.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES. Packagings prescribed are 30 one-gallon DOT Specification 2E90 polyethylene bottles overpacked in a non-DOT specification 55 gallon polyethylene drum.

a. The polyethylene drum shall be designed and tested according to the specifications of a DOT 34, except it will have an open head. The drum may be shipped without a lid.

b. DOT Specification 2E90 bottles shall be capped with 38 mm childproof, leakproof closures and arrayed 10 per layer in three-tiers within the drum. Each tier shall be separated by 3/8" thick sheet of polyethylene, and the general arrangement of bottles within the drum shall be as depicted in drawings and specifications included in petitioner's application.

8. SPECIAL PROVISIONS.

a. Shipments are limited to transportation by private carrier.

b. The polyethylene drum must be secured against movement within the transport vehicle.

c. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.

d. The outside of each polyethylene drum must be plainly and durably marked "DOT-E 10463".

e. Sodium hypochlorite solutions of over 16 percent are not authorized in these packagings.

f. No new construction of the packaging identified in paragraph 7 of this exemption is authorized after September 30, 1994. As the holder of this exemption, you may request a renewal to continue the use of the packaging manufactured prior to September 30, 1994. However, the exemption will not carry an expiration date subsequent to September 30, 1996 since use of the packaging is prohibited after that date. This is consistent with the transitional provisions of 49 CFR Section 171.14 and the implementation of the new packaging requirements adopted under Docket HM-181.

9. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous materials Regulations, 49 CFR Parts 171-180.
- Registration require by 49 CFR 107.601 et seq., when applicable.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

10. 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.

11. EXPIRATION DATE. September 30, 1996.

Issued at Washington, D.C.:

for Marilyn E. Morris July 2, 1996
Alan I. Roberts (DATE)
Associate Administrator for
Hazardous Materials Safety

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: DHM-31.

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.