APR 28 1997

U.S. Department of Transportation

Research and Special Programs Administration

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

DOT-E 11853

EXPIRATION DATE: June 30, 1997

1. GRANTEE: Reckitt & Colman
Montvale, NJ

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of certain consumer commodities in DOT Specification 2P containers which exceed the maximum permitted charging pressure. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180..

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.306(a)(3)(ii) in that the maximum pressure in the container may exceed 160 psig at 130°F; and the marking requirement in §173.203(a).

5. BASIS: This emergency exemption is based on the application of Reckitt & Colman dated March 5, 1997, submitted in accordance with 49 CFR 107.117 and additional information dated April 3 and 17, 1997, and a determination that it is necessary for the protection of life and property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
consumer commodity	ORM-D	n/a	n/a

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are approximately 3,000 boxes of DOT Specification 2P containers with spray through caps.

b. TESTING - Prior to shipment, pressure readings must be taken on representative samples to ensure that the pressure does not exceed 139 psig at 70°F.

8. SPECIAL PROVISIONS:

a. Shipments are authorized by private or contract carriage from Reckitt & Coleman's logistic centers to the manufacturing locations for rework or disposal.

b. MARKING - Each fiberboard box and/or pallet of aerosols shall be plainly and durably marked "DOT-E 11853". The marking requirement of 49 CFR 172.203(a) is waived.

c. 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 171-180.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

11. 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 required 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.

12. 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 inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

APR 28 1997

(DATE)

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, 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.

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