U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

SEP 18 1990

DOT-E 7035
(SIXTH REVISION)

1. Schutz Container Systems, Inc., Doraville, Georgia, 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 of the corrosive liquids and solids, oxidizer, flammable liquids, and class B poisonous liquids described in paragraph 3 below in commerce subject to the requirements specified herein. This exemption authorizes use of non-DOT specification drums and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Owens-Illinois Plastic Products Inc.'s application dated May 18, 1989, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon; and Owens Illinois Brockway Plastic Products' letter of May 1, 1990, and Schutz Container Systems, Inc.'s letter of May 14, 1990.

3. HAZARDOUS MATERIALS (Descriptor and class).

a. Monochloroacetic acid (solid), hexamethylenediamine, solid; any other corrosive solid specifically identified to, and acknowledged in writing by the Office of Hazardous Materials Transportation (OHMT) prior to the first shipment. Corrosive liquids for which DOT-34 reusable polyethylene container is prescribed in 49 CFR 173 liquid cleaning compounds containing not more than 30% by weight of hydrofluoric acid; any other corrosive liquid specifically identified to, and acknowledged in writing by, the OHMT; classed as corrosive material.

b. Hydrogen peroxide solution (52% or less), classed as an oxidizer.

c. Polyfluorinated ethylene suspensions in water and toluene (15%) described as Paint, liquid; methyl isobutyl ketone, and methyl alcohol; any other flammable liquid specifically identified to, and acknowledged in writing by, the OHMT prior to the first shipment; classed as flammable liquid.

d. Hydrothal K, hydrothal 191, hydrothal 47, herbicide 283, herbicide 273, arsenic acid classed as poison B; other class B poisonous liquids specifically identified to, and acknowledged in writing by, the OHMT.

4. PROPER SHIPPING NAME (49 CFR 172.101). The generic commodity description or specific chemical name, as appropriate.

5. REGULATION AFFECTED. 49 CFR 173.119, 173.128(a), 173.245(a)(26), 173.245b(a)(6), 173.249(a) (1), 173.250a(a)(1), 173.256, 173.257(a)(1), 173.263(a)(28), 173.265(d)(6), 173.266 (b)(8), 173.272(i)(9), 173.276(a)(10), 173.277(a)(6), 173.287(c)(1), 173.289(a)(1), 173.292 (a)(1), 173.346, 173.348, and 178.19.

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

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed is a non-DOT specification reusable, molded polyethylene container of 55-gallons (T-55B) capacity for use without overpack. Removable head not authorized. Each container must be made from high density polyethylene which has been specifically identified to and acceptable to the OHMT. Alternatively, the packaging can be as above, except that when designated as a "T-553," a 3-3/32-inch wide steel band is incorporated into the top chime of the drum. (Owens-Illinois drawings 48998-P, and BC1-3476 dated June 10, 1976, and June 8, 1981 respectively, and entitled "#T-553 tight head 55-gallon grip-top drum with attached steel ring," shows the drum and the assembled ring together with principal dimensions. Copies of these drawings are on file with the OHMT. Also when designated as a "T-553" a further alternative is authorized. This alternative substitutes a plastic handling ring in lieu of the steel band in the top chime of the drum as illustrated in Owens Illinois drawing No. BC-1-3445 dated 3-6-81. Copies of this drawing are on file with OHMT.

Containers must be in compliance with DOT Specification 34 (§178.19) except as follows:

i. 178.19-3(a) - (add). For marked (rated) capacity of 55 gallons, the minimum thickness measured on any point of the container is 0.130 inch (for the drum designated T-55B) and 0.125 inch (for the drum designated T-553).

ii. 178.19-6(a)(1) - Does not apply. Instead, each drum must be marked "DOT-E 7035" followed by the rated capacity of the container. These marks shall be understood to certify that the container complies with all specification requirements.

iii. 178.19-7(c)(2) - Static compression value is 2,400 pounds.

b. Additionally, containers must possess the chemical and physical properties as reported to the OHMT.

c. Any change in design, resin, or process method must be approved by the OHMT.

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. 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.

c. A copy of 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. Reuse of the container must be in accordance with applicable requirements of 49 CFR 173.28.

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

9. REPORTING REQUIREMENTS. Any incident involving loss of packaging contents or packaging failure must be reported to the Office of Hazardous Materials Transportation as soon as practicable.

10. EXPIRATION DATE. June 30, 1991.

Issued at Washington, D.C.:

for Donald R. Smith

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(DATE)

Alan I. Roberts
Director
Office of Hazardous Materials
Transportation

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

Dist: FHWA, FRA, USCG.