U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

APR 7 1991

DOT-E 7735
(FOURTH REVISION)

1. North American Packaging Corporation, Danbury, CT, (formerly Rheem Manufacturing Company), is hereby granted an exemption from certain 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 in commerce of the flammable liquids and corrosive materials described in paragraph 3 below subject to the requirements specified herein. This exemption authorizes shipment of specifically identified flammable liquids, corrosive materials, and class B poisonous liquids in certain DOT Specification 34 containers and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Rheem Manufacturing Company's application dated February 14, 1989, submitted in accordance with 49 CFR 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).

a. Flammable liquids specifically identified to, and acknowledged in writing by, the Office of Hazardous Materials Exemptions and Approvals (OHMEA) prior to the first shipment.

b. Sulfuric acid concentration of greater than 95% to not over 100.5%, classed as corrosive material.

c. Hydrofluoric acid not over 52% strength, classed as corrosive material.

d. Poison B, liquid, n.o.s., or the specific commodity description as appropriate, classed as Poison B, specifically identified to, and acknowledged in writing by, the OHMEA prior to the first shipment.

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

5. REGULATION AFFECTED. 49 CFR 173.119, 173.264(a), 173.272(g), 173.346, 173.358 and 173.359.

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

7. SAFETY CONTROL MEASURES. Packaging prescribed is:

a. DOT Specification 34 container (49 CFR 178.19).

b. Maximum capacity 7 gallons.

c. Design as per Rheem Drawing No. PA-E-163 dated December 22, 1975, on file with the OHMEA.

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. Shippers using the packaging covered by this exemption must comply with the shipping paper, marking, labeling, and placarding requirements of 49 CFR Part 172; the special packaging requirements of 49 CFR 173.3a for certain poisonous materials; all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 100-180.

c. 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.

d. 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 a available to a DOT representative upon request.

e. 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 packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable.

10. EXPIRATION DATE. February 28, 1993.

Issued at Washington, D.C.

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(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, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: USCG, FHWA, FRA.