U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 9736 (PTE)
FIRST REVISION August 29, 1991

In accordance with 49 CFR 107.111 of the Department of Transportation (DOT) Hazardous Materials Regulations the party(ies) listed below is granted the status of party to DOT-E 9736. The expiration date of the exemption for the party(ies) is June 30, 1993.

This party status applies to the party(ies) listed below based on the application(s) submitted in accordance with 49 CFR 107.111 and the public proceeding thereon. All terms of the exemption remain unchanged. This authorization forms part of the exemption and must be attached to it.

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

DEC 3 1992
(DATE)

Dist: FHWA

EXEMPTION HOLDER	APPLICATION DATE
Alliance Transportation Services, Inc. Milwaukee, WI	August 29, 1991
Mineral Springs Corporation Port Washington, WI	October 23, 1992

U.S. Department of Transportation

Research and Special Programs Administration

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Washington, D.C. 20590

AUG 29 1991

DOT-E 9736
(FIRST REVISION)

1. Aqua-Tech, Incorporated, Port Washington, Wisconsin, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of various liquid or solid hazardous materials for transportation in commerce subject to the special requirements specified herein. This exemption authorizes the re-use of DOT Specification 17H or 17C steel drums a maximum of three times before reconditioning, for shipment of various liquid or solid hazardous substances and hazardous wastes packed in inside plastic, glass, earthenware or metal containers, not exceeding one gallon capacity, only for the purposes of disposal, re-packaging or re-processing, and provides no relief from any regulation other than specifically stated.

2. BASIS. This exemption is based on Aqua-Tech, Incorporated's applications dated January 31, September 8, 1989 and June 11, 1991, submitted in accordance with 49 CFR 107.103 and 107.105 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Various hazardous substances and wastes, classed as flammable liquids, oxidizers, flammable solids, corrosive materials, Poison B liquids and solids for which exceptions are allowed in § 172.101, column 5(a), and ORMs.

4. PROPER SHIPPING NAME (49 CFR 172.101). As specified in 49 CFR 172.101 or the specific chemical or generic name, as appropriate.

5. REGULATION AFFECTED. 49 CFR Part 173, Subparts D, E, F & H.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a DOT Specification 17H or DOT Specification 17C steel drum, which can be re-used a maximum of three times before being reconditioned as required in 49 CFR 173.28. Inside packagings for the hazardous materials must be: plastic, glass, earthenware or metal, not over one gallon capacity, authorized in Part 173 and compatible with the contents. In addition, an inside liner of polyethylene film of 0.065 inch minimum thickness is required for the shipment of materials classed as corrosive material.

a. All materials in the DOT Specification 17H or 17C drum must be compatible with each other; i.e. the mixture of the entire contents may not be capable of evolving a dangerous quantity of heat, gas or Class A Poison. Gross weight of drum and contents may not exceed 450 pounds. The maximum volume of hazardous material contained in each drum containing this inner package may not exceed 28% of the capacity of the drum.

b. Inside packagings must be surrounded with sufficient cushioning and absorbent material to prevent excessive movement, breakage or damage to the inside packages and to absorb the total quantity of liquid contained within the drum in the event of leakage.

8. SPECIAL PROVISIONS.

a. Before reuse, each drum must be thoroughly cleaned to remove all residues and foreign matter. The drums must be inspected for deterioration or defects and returned to their original shape and contour. All closure devices and parts (if removable) must be removed and inspected for defects and replaced as necessary. Each open head cover gasket must be replaced.

b. Any drum which shows evidence of deterioration or which cannot be returned to its original shape and contour does not qualify for reuse. Additionally, if any inner package is discovered to have broken or leaked in the lab pack, then this drum would not qualify for reuse under this exemption.

c. The outside of each drum qualifying for reuse under this exemption must be marked within 10 inches of the top head with the following information: "Inspected", the month and year of the inspection, and the assigned DOT registration number of the inspector. In addition, at the time of each filling, the month and year of such filling must be marked on the drum, e.g., "F 3/88".

d. Drums may be used a maximum of three (3) times before they must be reconditioned according to the procedures set forth in CFR 49 173.28(m) and 173.28(n).

e. Transportation is limited to carriage by private or contract carrier only.

f. Inside and outside containers must be filled, packed and prepared for shipment only by employees of Aqua-Tech, Incorporated.

g. A copy of this exemption must be carried aboard each motor vehicle 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. June 30, 1993.

Issued at Washington, D.C.:

Joseph S. Hornyne
for Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

AUG 29 1991
(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Program Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

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