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

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

DOT-E 8780 (EXTENSION)
FIRST REVISION July 31, 1992

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 8780 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to September 30, 1994. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.105. This extension constitutes a necessary part of this exemption and must be attached to it.

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

MAR - 3 1994
(DATE)

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
Smurfit Plastic Packaging, Inc. Wilmington, DE	January 30, 1994

ADVISORY

IF YOU ARE A HOLDER OF AN EXEMPTION THAT AUTHORIZES THE USE OF A PACKAGING WITH A MAXIMUM CAPACITY LESS THAN 450 L (119 GALLONS) OR A MAXIMUM NET MASS LESS THAN 400 KG (882 POUNDS), PLEASE BE ADVISED THAT YOUR EXEMPTION MAY NOT BE RENEWED BEYOND SEPTEMBER 30, 1996. IN ADDITION, NO NEW CONSTRUCTION OF PACKAGINGS WHICH FALL WITHIN THE NON-BULK CAPACITIES LISTED ABOVE ARE AUTHORIZED AFTER SEPTEMBER 30, 1994. THIS IS CONSISTENT WITH THE IMPLEMENTATION OF THE NEW PACKAGING REQUIREMENTS ADOPTED UNDER DOCKET HM-181. ANY APPLICATION SUBMITTED TO THIS OFFICE TO RENEW AN EXEMPTION BEYOND THE SEPTEMBER 30, 1996 DATE WILL BE DENIED UNLESS THE APPLICATION CONTAINS SUPPORTING INFORMATION TO JUSTIFY THE CONTINUATION OF THE EXEMPTION.

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUL 31 1992

DOT-E 8780
(FIRST REVISION)

1. Smurfit Plastic Packaging Inc., (formerly Container Corporation of America), Wilmington, Delaware, is hereby granted an exemption from those 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 in commerce of certain corrosive liquids and the oxidizer described in paragraph 3 below subject to the requirements specified herein. This exemption authorizes the use of a non-DOT specification 20-gallon polyethylene DOT Specification 34 type packaging, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Smurfit Plastic Packaging Inc.'s (formerly Container Corporation of America) application dated May 29, 1992 and supplemental letter June 15, 1992, submitted in accordance with 49 CFR 107.103 and 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class).

a. Corrosive liquids, classed as corrosive material, for which DOT-34 reusable polyethylene container is prescribed in 49 CFR Part 173.

b. Hydrogen peroxide solution in water containing 52 percent or less hydrogen peroxide by weight, classed as an oxidizer.

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

5. REGULATION AFFECTED. 49 CFR Part 173., Subpart F; 178.19.

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

7. SAFETY CONTROL MEASURES.

a. Packaging authorized is a non-DOT specification reusable, blowmolded, polyethylene container of 20-gallon capacity for use without overpack. Removable head is not authorized. Each container must be made in compliance with DOT Specification 34 (49 CFR 178.19) except as follows:

§178.19-3(a) - (add) For marked (rated) capacity of 20 gallons the minimum thickness measured on any point on the container is 0.090 inch.

§178.19-6(a)(1)-Does not apply. Instead, each drum must be marked "DOT-E 8780" followed by the rated capacity of the container. These marks shall be understood to certify that the container complies with all applicable specification requirements except for the provisions of this exemption.

§178.19-7(c)(2) - Static compression value is 1,800 pounds.

b. Containers must possess the chemical and physical properties as reported to the Office of Hazardous Materials Safety by the applicant's petition dated January 7 and 8, 1982.

c. Any change of design, materials or process method must be approved by the OHMEA.

8. SPECIAL PROVISIONS.

a. Persons who receive packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with, and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. Reuse of container must be in accordance with applicable requirements of 49 CFR 173.28.

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

d. Packaging for hydrogen peroxide must have a vented closure to prevent accumulation of internal pressure. The head with the closure must be marked "KEEP THIS END UP".

e. 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.

f. 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.

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. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.)

10. EXPIRATION DATE. May 31, 1994.

Issued at Washington, D.C.:

JUL 31 1992

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

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

Dist: USCG, FHWA, FRA.