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

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

DOT-E 9533 (EXTENSION)
FIFTH REVISION February 28, 1992

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 9533 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to August 30, 1998. 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.

Marilyn J. Morris
for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

September 10, 1996
(DATE)

Dist: FHWA FRA USCG

| EXEMPTION HOLDER | APPLICATION DATE |
|---|---|
| B.A.G. Corp.<br>Dallas, TX | July 29, 1996 |

EXPIRED - Withdrawn

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

FEB 28 1992

DOT-E 9533
(FIFTH REVISION)

1. B.A.G. Corporation, Dallas, Texas, 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 in commerce of the corrosive solids, poison B solids, flammable solids, and oxidizers (solids only) described in paragraph 3 below subject to the requirements specified herein. This exemption authorizes the manufacture, marking and sale of large, nonreusable, collapsible polyethylene-lined woven polypropylene bulk bags having a capacity of not over 3000 pounds each, and top and bottom outlets, for shipment of poison B solids, corrosive solids, flammable solids, and oxidizers (solids only), and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on B.A.G. Corporation's applications dated July 10, 1987, November 23, 1987, and September 28, and November 27, 1989, submitted in accordance with 49 CFR 107.103 and 107.105 and the public proceeding thereon and supplemented letter dated May 22, 1991 and September 11, 1991.

3. HAZARDOUS MATERIALS (Descriptor and class). Those materials classed as Oxidizers, Corrosive materials, Poison B and Flammable solids listed in Appendix A of this exemption and other Oxidizers, Corrosive solids, Flammable solids and Poison B solids which are compatible with polyethylene and are specifically identified and acknowledged in writing by the Office of Hazardous Materials Exemptions and Approvals (OHMEA) prior to the first shipment.

For shipments by vessel, hazardous materials that are authorized by Appendix 2 to Section 26 of the General Introduction to the International Maritime Dangerous Goods (IMDG) Code to be transported in flexible intermediate bulk containers (FIBCs) may be transported in the bulk bags under this exemption. Such materials, which are part of an import or export shipment may also be transported in bulk bags under this exemption by motor vehicle and rail freight, provided a portion of the shipment is by vessel.

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

5. REGULATION AFFECTED. 49 CFR Part 172.331; 173.154; 173.164; 173.178; 173.182; 173.204; 173.217; 173.234; 173.245b; 173.365; 173.366; 173.367.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight, and cargo vessel. Shipments by vessel must be made in conformance with Section 26 of the General Introduction to the IMDG Code.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a non-DOT specification collapsible, nonreusable flexible bulk bag. The bag is fabricated of woven polypropylene, incorporating lifting straps of woven polyester webbing, plus a lining of polyethylene film (0.0035-inch minimum thickness). Filled bag must be closed securely. Each bag having a capacity of not over 2500 pounds must have side panels constructed of at least 6.7 ounce fabric. Bags with a capacity over 2500 but not over 3000 pounds must have side panels constructed of at least 8 ounce fabric. Bag, prepared as for shipment, must be capable of satisfactorily withstanding: Free-fall drop tests (three from a height of four feet); Jerk test; Topple test; Topple and Drag test; Righting test, Abrasion test; as described in "Procedures for Performance Testing of Flexible Intermediate Bulk Containers," Packaging Institute, U.S.A., procedure T-4102-85, dated February, 1985. Bulk bags that will be transported by vessel must pass the tests specified in subsection 26.3.5 of the General Introduction to the IMDG Code.

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; all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 100-180.

c. Shipment by highway must be in closed vehicles or freight containers, in full truckloads only, except that ammonium nitrate fertilizer need not be in closed vehicles.

d. Shipment by rail must be in box cars except that COFC or TOFC service is authorized in accordance with 49 CFR 174.61.

e. When bulk bags are transported by vessel, the following additional special provisions apply:

i. Materials in Classes 4.2 (Flammable solids) (Dangerous when wet) and 5.1 (Oxidizers) that are permitted by the IMDG Code to be transported without secondary protection may be carried as break-bulk cargo, provided -

(1) The hold or compartment is dry and thoroughly cleaned of all residue of previous cargo, and all loose debris and dunnage are removed.

(2) The hatches are inspected for watertightness before loading.

(3) The hold is free of sharp projections that could tear or puncture the bags.

(4) After the bags are unloaded, the hold or compartment is inspected for spillage and any residue removed.

ii. When any Class 5.1 materials (Oxidizer) that is carried as break-bulk cargo is loaded or unloaded -

(1) Firehoses must be laid out in the loading or unloading area and must be operable at all times.

(2) Smoking, carrying matches or lighting devices, or performing hot work is prohibited in the loading or unloading area; and the area must be posted with appropriate warning signs.

iii. The provisions of 49 CFR 176.410(d), except subparagraphs (d)(1) and (d(2), do not apply to shipment of ammonium nitrate fertilizer (UN 2067) by vessel under this exemption.

f. Each bag must be permanently and durably marked, in accordance with the requirements of Section 172.331 in letters at least two inches high on a contrasting background. In addition, for shipments by vessel, the marking requirements of subsection 26.1.5 of the General Introduction to the IMDG Code are required. The use of labels, tags or signs for marking purposes is prohibited.

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

h. 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.

i. 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.

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. September 30, 1993.

Issued at Washington, D.C.

FEB 28 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, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Program.

Dist: FHWA, FRA, USCG.

APPENDIX A

| Hazardous Material | UN Number |
|---|---|
| Aluminum bromide, anhydrous | UN 1725 |
| Aluminum nitrate | UN 1438 |
| Ammonium hydrogen fluoride, solid | UN 1727 |
| Ammonium nitrate | UN 1942 |
| Ammonium nitrate-carbonate mixture | UN 2068 |
| Ammonium nitrate fertilizer | UN 2067 |
| Ammonium nitrate fuel oil mixture * | NA 0331 |
| Ammonium persulfate | UN 1444 |
| Antimony compound, inorganic, n.o.s. | UN 1549 |
| Antimony tribromide | UN 1549 |
| Arsenic trioxide | UN 1561 |
| Arsenical compound, solid, n.o.s. | UN 1557 |
| Bromoacetic acid | UN 1938 |
| Calcium carbide * | UN 1402 |
| Calcium cyanide, solid * | UN 1575 |
| Calcium Hypochlorite, hydrated | UN 2880 |
| Calcium silicide * * * * | UN 1405 |

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APPENDIX A

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| Carbamate pesticide, solid N.O.S. (contains 15% or less aldicarb by weight) | UN 2757 |
| Chloroacetic acid, solid | UN 1751 |
| Chromic acid, solid * | UN 1463 |
| Cyanuric chloride | UN 2670 |
| Dichloroisocyanuric acid salts (Sodium dichloro-s-triazinetrione) | UN 2465 |
| Ferric chloride, solid, anhydrous | UN 1773 |
| Lithium hypochlorite mixture, dry * (containing not more than 42% available chlorine) | UN 1417 |
| Magnesium granules, coated | UN 2950 |
| Oxidizer, n.o.s. (1-Bromo-3-chloro-5,5-demethylhydantion) | UN 1479 |
| Para-nitro-toluene sulfonic | UN 2811 |
| Poisonous solid, N.O.S. or Poison B, solid, N.O.S. (Amyl Phenol) (Butyl Phenol) (Octyl Phenol) | UN 2811 |
| Potassium cyanide * | UN 1680 |
| Potassium dichloro-s-triazinetrione | UN 1479 |
| Potassium hydroxide, flake | UN 1813 |
| Potassium hydroxide, solid | UN 1813 |
| Potassium nitrate | UN 1486 |
| Potassium persulfate | UN 1492 |
| Sodium azide | UN 1687 |
| Sodium bifluoride | UN 2439 |

APPENDIX A

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|---|---|
| Sodium chlorate | UN 1495 |
| Sodium cyanide * | UN 1689 |
| Sodium hydrosulfite * | UN 1384 |
| Sodium hydroxide, solid | UN 1823 |
| Sodium nitrate | UN 1498 |
| Sodium nitrite | UN 1500 |
| Sodium perborate monohydrate | UN 1479 |
| Sodium persulfate | UN 1505 |
| Sodium sulfide, anhydrous * | UN 1385 |
| TEMIK (Aldicarb pesticide) | UN 2588 |
| Thallium compounds, n.o.s. | UN 1707 |
| Trichloroisocyanuric acid, dry | UN 2468 |
| Trichloro-s-triazinetrione, dry * * | UN 2468 |
| Waste arsenical mixture, n.o.s. * * * | UN 1557 |
| Zinc dust | UN 1436 |

* Transport by vessel not authorized.

* * This shipping description may be used only when all or part of the transport is by vessel. For transport by motor vehicle or rail freight, use "trichloroisocyanuric acid, dry."

* * * For mixtures of arsenic compounds, the name(s) of the hazardous components of the mixture must appear in the parenthesis.

* * * Packaging for calcium silicide must be hermetically sealed.