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

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

AUG 1 5 2001

DOT-E 12727

EXPIRATION DATE: July 31, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Tri-West Packaging
Corona, CA

2. PURPOSE AND LIMITATIONS:

a. This exemption authorizes the manufacture, marking, sale and use of certain UN 11HH2 composite Intermediate Bulk Containers (IBC) for use as the outer packaging for lab pack applications in accordance with § 173.12(b)(2)(i). This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.12(b)(2)(i) in that a UN 11HH2 composite IBC outer packaging is not authorized except as authorized herein.

5. BASIS: This exemption is based on the application of Tri-West Packaging dated May 3, 2001, submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Waste hazardous materials classed as Class or Division 3, 4.1, 4.2, 4.3, 5.1, 6.1, 8, or 9, which are authorized to be shipped in lab packs in accordance with 49 CFR 173.12(b).	3, 4.1, 4.2, 4.3, 5.1, 6.1, 8, or 9.	As appropriate	I, II, or III as appropriate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a UN 11HH2 composite intermediate bulk container with an inner polyethylene liner with a minimum thickness of six mils.

b. TESTING - In addition to the performance tests required by Subpart O of Part 178, the IBC, loaded to 205 kg and filled to 95% of its' total capacity with a solid material, must be satisfactorily tested in accordance with § 178.603 at the Packing Group II level.

c. OPERATIONAL CONTROL - As specified in § 173.12(b)(2)(v), the gross weight of the complete package may not exceed 205 kg.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

b. A person who is not a holder of this exemption, but receives a package covered by this exemption, may reoffer it for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this exemption and the HMR.

c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

d. 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 by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.

e. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
- Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued in Washington, D.C.

AUG 1 5 2001
(DATE)

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

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