U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 9936

OCT 3 1988

1. Siepe GMBH, Kerpen, West Germany, (U.S. Agent: Carando Machine Works, Stockton, CA), 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 of the corrosive materials and oxidizers described in paragraph 3 below in commerce subject to the requirements specified herein. This exemption authorizes the manufacture, marking and sale of a non-DOT specification removable head polyethylene drum of 30 liter capacity, comparable to DOT-35, for shipment of phosphorus pentachloride, classed as corrosive material, and other corrosive materials and oxidizers presently authorized to be shipped in DOT Specification 35 drums, and provides no relief from any regulation other than as specifically stated.

2. BASIS. The exemption is based on Siepe GMBH's application dated January 4, 1988, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Phosphorus pentachloride, solid, classed as corrosive material and those corrosive materials and oxidizers presently authorized to be shipped in a DOT Specification 35 drum.

4. PROPER SHIPPING NAME (49 CFR 172.101). Phosphorus pentachloride, solid; the specific chemical name or generic commodity description, as appropriate.

5. REGULATION AFFECTED. 49 CFR 173.154; 173.191; 173.217; 173.245b; 178.16.

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

7. SAFETY CONTROL MEASURES. Packing prescribed is a non-DOT specification removable head polyethylene drum of 30-liter capacity, comparable to DOT Specification 35. The drum must be manufactured in accordance with Josef Siepe drawing KS-014-3, other drawings and photographs on file with the Office of Hazardous Materials Transportation (OHMT). Each drum must be capable of satisfactorily withstanding any of the design qualification tests prescribed in 49 CFR 178.16-13 (DOT Specification 35) and any of the following additional tests prescribed in the petitioner's application:

a. Drop test. Sample drum filled to maximum gross weight must be dropped 6.5 feet (2.0 meters) when the drum and contents are conditioned to be at a temperature of -4°F (-20°C) or below at the start of the drop test. The drum should impact diagonally on the top chime or edge.

b. Leakproofness test. Sample drum must be capable of retaining air pressure of 2.9 psig (0.2 bar) for 5 minutes.

c. Stacking test. Sample drum filled to maximum gross weight must be capable of withstanding without leakage or visible

deformation a stacking weight of 492 pounds (223 kgs) on the top surface of the drum for a period of 28 days at a temperature of 104°F (40°C).

8. SPECIAL PROVISIONS.

a. Shippers may use the packaging covered by this exemption pursuant to 49 CFR 173.22a.

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

c. Each drum must be permanently marked on the bottom in letters at least 1/4 inch in height with the following:

1. DOT-E 9936-*; star to be replaced by the maximum allowable gross weight in pounds.

2. NON-REUSABLE CONTAINER.

3. Month and year of manufacture.

4. Name of manufacturer.

d. Siepe GMBH must perform the periodic testing specified in 49 CFR 178.16-16 for drums manufactured under this exemption. A report documenting the successful testing of sample drums must be prepared by the manufacturer and be retained at each producing plant for at least two years.

e. 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.

f. Each packaging manufactured in accordance with the requirements of this exemption must be marked in a manner which identifies the physical location (city and state) of the facility at which is manufactured.

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package must be reported to the Office of Hazardous Materials Transportation (OHMT) as soon as practicable.

10. EXPIRATION DATE. July 31, 1990.

Issued at Washington, D.C.:

OCT 3 1988

Alan I. Roberts
Director
Office of Hazardous Materials Transportation

(DATE)

Address all inquiries to: Director, Office of Hazardous Materials Transportation, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C., 20590. Attention: Exemptions Branch.

Dist: USCG, FHWA, FRA