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

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JAN 27 1998

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

DOT-E 10232
(FIFTH REVISION)

EXPIRATION DATE: January 31, 1999

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Sexton Can Company, Inc.
Cambridge, MA.
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the manufacture, mark and sale of packagings conforming in part with the DOT Specification 2Q, to transport certain refrigerant gases. This exemption provides no relief from any regulation other than as specifically stated.
 - b. EXEMPTION SCOPE LIMITATIONS - An exemption authorization to manufacture, mark, sell, and transport only represents certification of safety for a package when it is an article of commerce in transportation. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.304(a) and 173.306(a)(3) in that non-DOT specification packaging is authorized, 178.33a-2(b), 178.33a-6(b), 178.33a-6(c), 178.33a-8, and 178.33a-9 as specified herein.
5. BASIS: This exemption is based on Sexton Can Company Inc.'s application dated December 12, 1997, submitted in accordance with 49 CFR 107.109.

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6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
Refrigerant gases, n.o.s.	2.2	UN1078	n/a
1,1,1,2-Tetrafluoroethane	2.2	UN3159	n/a

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a nonrefillable non-DOT specification inside metal container conforming with Sexton Can Company drawing No. LP-86-123 dated June 5, 1986, on file with OHMS. The cylinder must be in conformance with DOT Specification 2Q (49 CFR 178.33a), in effect on October 1, 1995, except as follows:

§ 178.33a-2 Type and size.

(a) * * *

(b) The maximum capacity of the containers manufactured under this exemption may not exceed 33 cubic inches (18.5 fluid ounces). The maximum diameter shall not be more than 3 inches.

§ 178.33a-6 Manufacture.

(a) * * *

(b) * * *

(2) Side seams are not permitted.

(c) Ends: The ends shall be designed to withstand pressure and bottom end is fitted with a pressure relief device (PRD).

b. TESTING - § 178.33a-8 Tests.

Burst Test. For the purpose of qualification burst tests, each 5000 containers or less, successively produced as a batch or part thereof shall constitute a lot.

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Two containers, one with a PRD and one without a PRD, taken randomly from each lot and complete with the ends assembled must be pressure tested to destruction. The burst pressure of containers fitted with a bottom PRD may not be below 250 psig. The burst pressure of containers without a bottom PRD may not be less than 370 psig. If either of the test container fails to meet the above requirements, the lot shall be rejected. However, an additional 5 randomly selected pairs of containers from that lot may be burst tested to qualify that lot. If any of the additional test containers fail the burst test, that lot must be rejected.

c. Each packaging must be prepared and shipped in accordance with the following:

- (1) The filling density may not exceed 87 percent.
- (2) Prior to shipment, each completed container must be heated until the pressure in the container is equivalent to the equilibrium pressure of the lading at 130°F. Lading equilibrium pressure may not exceed 200 psig at 130°F. Liquid content of lading may not completely fill the container at 130°F. Acceptable containers must show no evidence of leakage, distortion or other defect.
- (3) The container must be packed in a strong outside packaging as prescribed in 49 CFR 173.301(k).
- (4) Each outside packaging must be marked "INSIDE CONTAINERS COMPLY WITH DOT-E 10232".
- (5) Containers filled with a material meeting the definition of a "consumer commodity" in 49 CFR 171.8 may be reclassified as an ORM-D and shipped as "consumer commodity" in accordance with 49 CFR 173.306(h). These outside packagings are not required to be marked "INSIDE CONTAINERS COMPLY WITH DOT-E 10232" as specified above in d.(4).

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.

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b. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

c. 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.

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 for a specific manufacturing facility.

e. Test data obtained under paragraph 7.b., §178.33a-8 Tests, of this exemption, must be kept on file and be made available upon request by CHMS.

f. MARKING - § 178.33a-9 Marking.

(a) * * *

(1) "DOT-E 10232" in place of "DOT 2Q".

(2) * * *

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, and cargo only aircraft.
10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each aircraft and cargo vessel used to transport packages covered by this exemption. The shipper shall furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.
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. Section 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Registration required by 49 CFR 107.601 et seq., when applicable.

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Each "Hazmat employee", as defined in 49 CFR 171.3, 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 49 CFR 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the 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. (49 CFR 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 inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

Alan I. Roberts

for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

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(DATE)

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.

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