



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

**AUG 24 2004**

DOT-E 10232  
(TWELFTH REVISION)

EXPIRATION DATE: July 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Sexton Can Company, Inc.  
Cambridge, MA
2. PURPOSE AND LIMITATIONS:
  - a. This exemption authorizes the manufacture, mark, sale and use of non-DOT specification packagings conforming in part with the DOT Specification 2Q, except as specified herein, for the transportation in commerce of the material authorized in this exemption. 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 §§ 173.304(d), 173.306(a)(3) and 175.3 in that non-DOT specification cylinders are not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of Sexton Can Company, Inc. dated August 12, 2004, submitted in accordance with § 107.109.

**AUG 24 2004**6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Proper Shipping Name/<br>Hazardous Material Description | Hazard<br>Class/<br>Division | Identi-<br>fication<br>Number | Packing<br>Group |
|---|------------------------------|-------------------------------|------------------|
| Refrigerant gases,<br>n.o.s.                            | 2.2                          | UN1078                        | N/A              |
| 1,1,1,2-Tetrafluoroethane                               | 2.2                          | UN3159                        | N/A              |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a non-refillable non-DOT specification inside metal container conforming with Sexton Can Company drawing No. LP-86-123 dated August 31, 2001, on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). The cylinder must be in conformance with DOT Specification 2Q (§ 178.33a), except as follows:

§ 178.33a-2 Type and size.

(a) \* \* \*

(b) The maximum capacity of the containers manufactured under this exemption may not exceed 40 cubic inches (22.4 fluid ounces). The maximum diameter may not exceed 3 inches.

§ 178.33a-6 Manufacture.

(a) \* \* \*

(b) \* \* \*

(1) \* \* \*

(2) Side seams. Not permitted.

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

## § 178.33a-8 Tests.

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

## § 178.33a-9 Marking.

Applies except that the container must be marked with "DOT-E 10232" in lieu of "DOT 2Q".

b. OPERATIONAL CONTROLS - Each packaging must be prepared and shipped in accordance with the following:

- (1) The filling density may not exceed 87 percent.
- (2) Prior to initial shipment of the filled containers, 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 § 173.301(a)(9).
- (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 § 171.8 may be reclassified as an ORM-D and shipped as "consumer commodity" in accordance with § 173.306(h). These outside packagings are not required to be marked

"INSIDE CONTAINERS COMPLY WITH DOT-E 10232" as specified above in paragraph 7(c)(4).

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 modification or change is made to the package or its contents 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 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.

f. Test data obtained under the qualification burst test (§178.33a-8) of this exemption, must be kept on file and be made available upon request by OHMEA.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel, aircraft or motor vehicle 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. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o 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 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. (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.:

*for*  
  
 \_\_\_\_\_  
 Robert A. McGuire  
 Associate Administrator for  
 Hazardous Materials Safety

**AUG 24 2004**  
 \_\_\_\_\_  
 (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.

**AUG 24 2004**

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: cwf/am