



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

AUG 4 2003

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

DOT-E 10791  
(NINTH REVISION)

EXPIRATION DATE: July 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109.)

1. GRANTEE: Con-Quest Products, Inc.  
Elk Grove Village, IL
2. PURPOSE AND LIMITATIONS:
  - a. This exemption authorizes the manufacture, marking and sale of a corrugated fiberboard box for use as the outer packaging for lab pack applications in accordance with § 173.12(b). 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) in that a UN 4G packaging is not authorized, except as specified herein.
5. BASIS: This exemption is based on Con-Quest Products, Inc.'s application dated July 16, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials 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 § 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

\*See Paragraph 7(c) of this exemption for restrictions on authorized materials.

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a UN 4G fiberboard box fitted with a polyethylene film bag liner.

(1) The box with a 64-gallon capacity is constructed of triple-wall corrugated fiberboard and fabricated according to the description in the application dated November 14, 1994. The gross weight of the completed package may not exceed 205 kg (452 pounds).

(2) The box of up to 55-gallon capacity is constructed of double-wall, corrugated fiberboard and fabricated according to the description in the Advanced Packaging Laboratories' test report dated February 17, 1997, submitted with Con-Quest Products' letter dated February 18, 1997. The gross weight of the completed package may not exceed 147.4 kg (325 pounds).

(3) The box of up to 30-gallon capacity is constructed of double-wall corrugated fiberboard and fabricated according to the description in the Advanced Packaging Laboratories' test report submitted with the letter dated June 15, 1995 or the Advanced Packaging Laboratories' test report dated March 21, 1996. The gross weight of the completed package may not exceed 113.3 kg (250 pounds).

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(4) Inner packagings may be glass packagings not exceeding 4L (1 gallon), or metal or plastic packagings not exceeding 20L (5.3 gallons).

(5) Inner packagings containing liquid must be surrounded, within the polyethylene film bag liner, by a chemically compatible absorbent material in sufficient quantity to absorb the total liquid contents.

b. TESTING - The box, filled to 95% of capacity with a solid material, or packed in accordance with the schematic drawing submitted with the April 15, 1992 application, must be satisfactorily tested in accordance with §§ 178.603 and 178.606 at the Packing Group II level. In addition, the packaging must be capable of withstanding the vibration standard described in § 178.608.

c. OPERATIONAL CONTROLS - Materials meeting the definition of Division 6.1, Packing Group I, or Division 4.2, Packing Group I; and bromine pentafluoride; bromine trifluoride; chloric acid; and oleum (fuming sulfuric acid) may not be shipped under the terms of this exemption.

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.

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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. MARKING: In addition to the markings required by § 178.503, each box must be plainly and durably marked "DOT-E 10791" on a contrasting background.

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 Federal hazardous materials transportation law, 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 § 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.

*Robert A. McGuire*

for Robert A. McGuire  
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.

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: AM