



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

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

OCT 17 2003

DOT-E 11252
(SIXTH REVISION)

EXPIRATION DATE: September 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109.)

1. GRANTEE: CCL Container
Penetanguishene, Ontario, CN
(U.S. Agent: CCL Container, Hermitage, PA)

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

- a. This exemption authorizes the transportation in commerce of certain hazardous materials, described in paragraph 6 of this exemption, in certain non-DOT specification metal aerosol containers. 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 § 173.306(a)(3)(v) in that an alternative testing procedure is not authorized except as specified herein; § 173.306(a)(3)(ii) in that a non-DOT specification container is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of CCL Container dated October 2, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Hazardous materials as authorized in DOT Specification 2P containers/Aerosols, flammable or Aerosols, non-flammable, (each not exceeding 1 L capacity)	Division 2.1 or 2.2	UN1950	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification one-piece, impact-extruded, cylindrical aluminum container conforming with Advanced Monobloc's drawings on file with the Office of Exemptions and Approvals (OHMEA). The container assembly consists of a laminated pouch which is contained within the aluminum can. The product to be expelled is inside the pouch, which is surrounded by nonflammable compressed gas. Maximum equilibrium pressure of the container at 130°F may not exceed 160 psig. Container must conform with DOT Specification 2P (§ 178.33) except as follows:

§ 178.33-2 Type and size.

(a) Containers must be seamless with crimped end closure.

(b) * * *

§ 178.33-5 Material.

(a) Material must be aluminum alloy 1060, 1100, or 1070.

(b) * * *

§ 178.33-7 Wall thickness.

(a) Minimum wall thickness: no less than 0.010 inch.

§ 178.33-8 Tests.

(a) One container out of every lot produced must be pressure tested to destruction and may not burst below 240 psig. The tested container must be complete with the ends assembled. If the test container fails the burst test, the lot must be rejected. However, an additional 5 randomly selected containers may be burst tested to qualify that lot. If any of the additional test containers fail the burst test, that lot must be rejected.

(b) Each 2,500 containers or less, successively produced as a batch or part thereof, must constitute a lot. All containers constituting a lot must be of like material, size, design, construction, finish, and quality.

§ 178.33-9 Marking.

(a) Applies except that each container must be marked "DOT-E 11252" instead of "DOT-2P".

b. TESTING - Prescribed packagings must be leak tested as follows:

(1) For the purpose of leak testing, each 2,500 containers or less, successively filled with product must constitute a lot.

(2) In lieu of testing each container, a total of 60 containers, selected randomly from the beginning, middle, and the end of a lot must pass the following leak test:

Each container must be pressurized to a minimum of 50 psig and then heated until the temperature of the contents reaches 130°F for a minimum of 1 hour, before cooling to room temperature and having the pressure rechecked. For a successful test the pressure drop may not be greater than 5 psi.

(3) If any test container fails the above prescribed leak test, the entire lot must be rejected. However, individual containers in that lot may be accepted by successfully passing the following leak test:

The fill pressure and temperature of the remaining containers in the lot must be recorded. The containers are then heated until the temperature of the contents reaches 130°F. Containers must be maintained at 130°F for a minimum of 1 hour before cooling to room temperature or fill temperature whichever is lower. The container pressure is then checked and compared with the fill pressure. Any container which indicates a pressure drop greater than 5 psig must be rejected.

8. SPECIAL PROVISIONS:

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

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

c. Containers must be shipped in strong outside packaging as prescribed in § 173.301(a)(9).

d. Each outside packaging must be marked "INSIDE CONTAINERS COMPLY WITH PRESCRIBED REGULATIONS".

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

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard motor vehicle each cargo vessel or aircraft used to transport packages covered by this exemption. The shipper must furnish a current 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 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, 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 inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



fe Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

OCT 17 2003
(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: sln

OCT 17 2003

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
CCL Container Hermitage, PA	10/2/2003	OCT 17 2003	9/30/2005



Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety