



**Pipeline and Hazardous
Materials Safety Administration**

APPROVAL CA2019040509

ISSUED BY THE COMPETENT AUTHORITY OF THE UNITED STATES

EXPIRATION DATE:

1. **APPROVAL HOLDER:** Lee Container Corporation, Inc.
Homerville, GA
United States
2. **REGULATORY AUTHORITY:** 49 CFR § 178.509(b) (1) - Used plastic material.
3. **SYNOPSIS:** Lee Container Corporation, Inc. is authorized to manufacture, mark, sell, and use certain UN 3H1 plastic jerricans manufactured with used plastic material. The most recent revision supersedes all previous revisions.
4. **BASIS:** This approval is issued in response to Lee Container Corporation, Inc.'s application dated April 16, 2019.
5. **PERIOD OF VALIDITY AND CONDITIONS OF APPROVAL:** This approval does not provide relief from any requirement of the Hazardous Materials Regulations except as stated herein. This approval is valid until the posted expiration date or unless suspended or terminated by the Associate Administrator for Hazardous Materials Safety.
 - a. **Applicability:** This approval applies to the manufacture in the U.S. of UN 3H1 plastic jerricans at the Packing Group II and III performance levels.
 - b. **Approved Material(s):** All materials authorized to be transported in UN 3H1 plastic jerricans at the Packing Group II and III performance levels may be transported in packagings authorized under the terms of this approval.

c. Packaging:

- (1) Only the following packagings as specified in the application dated April 16, 2019 and on file with the Office of Hazardous Materials Safety Approvals and Permits Division (OHMSAPD) may be manufactured under the terms of this approval:
 - (i) 4-gallon capacity UN 3H1 plastic jerrican (drawing number P-2133).
 - (ii) 5-gallon capacity UN 3H1 plastic jerrican (drawing number P-2129).
 - (iii) 20-liter capacity UN 3H1 plastic jerrican (drawing number P-2125).
- (2) A different packaging (see § 178.601(c)(4)) from those specified in paragraph 5.b.(1) above may not be manufactured, marked, sold, or used under the terms of this approval. To manufacture, mark, sell, or use a different packaging under the terms of this approval, an application for modification to this approval must to be submitted in accordance with § 107.705.

d. Quality Assurance Program:

- (1) Sorting and Cleaning Used Plastic Material and Identification of Resins: Only resins which have been prepared and evaluated under Lee Container Corporation, Inc.'s quality assurance program and determined to be suitable for use may be used in jerrican manufacture. All recycled material selected for use must be cleaned in a manner that removed residue from the prior lading.
- (2) Batching: For purposes of this approval, a batch of resin from recycled material is not more than 250,000 pounds of resin that has been sorted and selected as detailed in Lee Container Corporation, Inc.'s quality assurance program and is identified with regard to:
 - (i) Source of the recycled material (e.g., drums, intermediate bulk containers) and description of the sorting process;

- (ii) Previous lading of recycled containers, including identification of hazardous materials, if applicable; and
 - (iii) Results of the resin specifications set forth in paragraph 5.d.(4) below.
- (3) Rejection of Unsuitable Material: Lee Container Corporation, Inc. may not use a resin from recycled material which:
- (i) Is made from containers which previously contained a Division 6.1 material;
 - (ii) Does not conform to the resin specifications set forth in paragraph 5.d.(4) below; and
 - (iii) Is otherwise determined to be unsuitable under Lee Container Corporation, Inc.'s quality assurance program.
- (4) Resin Specifications:
- (i) Lee Container Corporation, Inc. must verify that each batch of recycled plastics material has the proper melt flow rate and density, consistent with that of the design type manufactured from such recycled material. This evaluation must be conducted in accordance with the following standards:
 - (A) Melt Flow Rate - ASTM D-1238, Standard Test Method for Flow Rate of Thermoplastics by Extrusion Plastometer.
 - (B) Density - ASTM D-1505, Standard Test Method for Density of Plastics by Density-Gradient Technique.
 - (ii) Each batch of resin must demonstrate melt index and density values as specified in Technical Data Sheet for PRM800WT, which is on file with OHMSAPD.

(5) Manufacture of Jerricans Using Recycled Material:

- (i) Performance Testing: Performance testing must be conducted as required by Part 178, Subpart M at the appropriate packing group level. Periodic testing must occur at least every 12 months.
- (ii) Marking: In addition to the marking requirements of 49 CFR 178.503, each jerrican must be marked in a permanent manner (e.g., embossed) in a lettering size conforming to 49 CFR 178.3(a) with the following:
 - (A) The approval number;
 - (B) The statement "Not for food or drink", unless otherwise authorized by a federal governmental agency; and
 - (C) The letters "REC", which indicates the jerrican is manufactured from recycled material.

e. Documentation and Record Retention: In addition to the record retention requirements of 49 CFR 178.601(1), Lee Container Corporation, Inc. must maintain for as long as a jerrican is produced and for two years thereafter, and make available upon request by DOT representatives at the manufacturing facility, the following information:

- (1) A copy of Lee Container Corporation, Inc.'s quality assurance program.
- (2) For each resin used in the manufacture of a jerrican:
 - (i) The source of the recycled material (e.g., drums, intermediate bulk containers) and a description of the sorting process;
 - (ii) Previous lading of recycled containers, including identification of hazardous materials, if applicable; and

(iii) Results of the resin specifications set forth in Paragraph 5.d.(4) above.

6. **MODES OF TRANSPORTATION AUTHORIZED:** As authorized by the Hazardous Materials Regulations for the hazardous materials to be transported.
7. **SPECIAL PROVISIONS:**
 - a. A current copy of this approval must be maintained and made available for examination at each location where packagings authorized under this approval are manufactured, marked, or tested.
 - b. A current copy of this approval must be maintained and made available for examination at each facility where the package is offered or reoffered for transportation under its authority.
 - c. Any person may use the packaging(s) authorized by this approval for the transportation of the hazardous materials specified in paragraph 5.a. above, only in conformance with the terms of this approval.
 - d. Any person who receives a package covered by this approval may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this approval.
 - e. This approval in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of countries of origin, transit, and destination.
 - f. The approval holder must maintain a record that contains a listing of the number of packagings manufactured, marked, sold, and tested under the terms of the approval. This record must be made available upon request to a DOT representative or an enforcement official.
 - g. Shipments or operations conducted under this approval are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR 171.15 -

Immediate notice of certain hazardous materials incidents, and 49 CFR 171.16 - Detailed hazardous materials incident reports. In addition, the approval holder must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment, or operation conducted under the terms of this approval.

8. **GENERAL PROVISIONS:**

- a. Failure by any person to comply with the terms and conditions of this approval and the Hazardous Materials Regulations, 49 CFR Parts 171-180, may result in the modification, suspension or termination of that person's authority to use this approval. Failure to comply may also subject that person to penalties prescribed by 49 U.S.C. §§ 5123 and 5124. This approval may be modified, suspended or terminated in its entirety if that action is justified in light of changes in circumstances or additional information not available when this approval was issued. Unless immediate modification, suspension or termination is necessary to avoid a risk of significant harm to persons or property, before action is taken, that person will be notified and provided with an opportunity to show why the proposed action should not be taken.
- b. Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this approval must be provided training on the requirements and conditions of this approval in addition to the training required by §§ 172.700 through 172.704.

- c. Any person operating under the terms of this approval must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

Issued in Washington, D.C.

Dated:

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-30.