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

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

DOT-E 10330
(FIRST REVISION)

EXPIRATION DATE: January 31, 1998

MAR 4 1996

(FOR RENEWAL, SEE 49 CFR SECTION 107.105)

1. GRANTEE: Fluoroware, Inc.
Chaska, MN

2. PURPOSE AND LIMITATION: This exemption authorizes the manufacture, marking and sale of a non-DOT specification, rotationally molded, Teflon PFA inner container enclosed in an outer stainless steel shell for the transportation in commerce of certain corrosive and flammable liquids. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.242 and 173.243.

5. BASIS: This exemption is based on the application of Fluoroware, Inc. dated January 23, 1996, and subsequent information dated February 22, 1996, submitted in accordance with 49 CFR 107.105 and the public process thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Hydrogen peroxide, aqueous solutions *with more than 40 percent but not more than 60 percent hydrogen peroxide*	5.1	UN2014	II
Nitric acid *other than red fuming, with not more than 70 percent nitric acid*	8	UN2031	II
Flammable liquid, n.o.s.*	3	UN1993	III
Hydrofluoric acid, solution *not more than 60 percent strength*	8	UN1790	II

* Compatible with Teflon and which have no secondary hazards.

7. PACKAGING AND SAFETY CONTROL MEASURES: MAR

Packaging prescribed is a non-DOT specification rotationally molded Teflon PFA portable tank within a stainless steel enclosure, having a nominal water capacity of 200 gallons. The minimum thickness of the stainless steel shell is 0.104 inch and the minimum thickness of the inner Teflon tank is 0.060 inch. Packaging must be as shown on Fluoroware, Inc.'s drawing number 700-292 Rev. A, on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA), except that a liquid level gauge which is in direct contact with the contents of the tank is not authorized.

a. Each tank must be fitted with a pressure relief device that will limit the pressure in the tank to 90 psig and has a relief capacity of 90 psig of at least 90,960 cubic feet per hour.

b. Portable tanks must be capable of satisfactorily withstanding the drop tests prescribed in 49 CFR 178.35-5, and the vibration test prescribed in 49 CFR 178.253-5(a)(i).

c. Each tank shall be tested by retaining for 5 minutes, hydrostatic pressure of at least 90 psig at equilibrium without leakage or pressure drop.

d. Each portable tank must be permanently marked in letters and numbers at least 1/4 inch high located on the side of the tank. The markings shall be understood to certify that the portable tank complies with all the requirements of this exemption and must contain at least the following information:

DOT-E 10330 portable tank
Tank manufacturer _____
Test pressure: 90 psig
Serial number _____
Date of manufacture __(month and year)_____
Tare weight _____ lbs.
Rated gross weight _____ lbs.
Capacity _____

e. The portable tank must possess the chemical and physical properties as reported to OHMEA by the petitioner's application dated January 4, 1990.

f. Reuse of any portable tank must be in accordance with the applicable requirements of 49 CFR 173.28 and 173.32(f) as modified herein. Each portable tank must be hydrostatically retested in accordance with 49 CFR 173.32(f) as applicable to DOT Specification 57 portable tanks,

without a drop in pressure or leakage. Any tank that fails must be rejected and may not be used again for the transportation of hazardous materials. The date of the most recent periodic retest must be marked on the tank near the tank identification markings required in paragraph 7.d. of this exemption. The owner of the tank or his authorized agent must retain a written record indicating the date and results of all required tests and the name and address of the tester, until the next retest has been satisfactorily completed and recorded.

g. Portable tanks with repaired bodies are not authorized.

h. Commodities must be compatible with the Teflon PFA plastic inner tank and may not permeate the teflon to an extent that a hazardous condition could be caused during transportation and handling.

i. Portable tanks for hydrogen peroxide must have a vented closure to prevent accumulation of internal pressure.

j. Any fitting used must be protected in accordance with 49 CFR 178.253-3.

k. The sides of each portable tank must be marked "KEEP THIS END UP" in two places, 180° apart, with an arrow pointing to the top of the tank.

l. Tanks must always be filled and shipped with the teflon inner tank in the outer steel enclosure as shown in the petitioner's application.

m. The bottom discharge valve must be capable of being secured in the closed position.

8. <u>SPECIAL PROVISIONS</u>:

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

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.

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9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.

10. MODAL REQUIREMENTS: A 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 the Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq:

    - All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

    - Registration required by 49 CFR 107.601 et seq., when applicable.

    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.:

Sup for Marilyn E. Morris

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

MAR 4 1996
(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.

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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.

Dist: FHWA