U.S. Department
of Transportation

**Research and
Special Programs
Administration**

FEB 28 1994

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

DOT-E 7476
(EIGHTH REVISION)

1. Thompson Tank and Manufacturing Company, Incorporated, Long Beach, California, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to manufacture, mark, and sell certain non-DOT specification cargo tanks as described in paragraph 7 below for use in the transportation in commerce of the Class 3, Class 8, and Class 6 waste materials described in paragraph 3 below subject to the requirements specified herein. This exemption authorizes the shipment of these waste materials in modified MC 307 or MC 312 cargo tanks and provides no relief from any regulation other than as specifically stated. Note: Reference to 49 CFR Sections in this exemption are to regulations in effect on September 30, 1991.

2. BASIS. This exemption is based on Thompson Tank and Manufacturing Company's application dated September 30, 1993 and additional information dated November 19, 1993, submitted in accordance with 49 CFR 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class). Liquid and semi-solid waste material, including mixtures, compatible with the packaging, containing Class 3 or Class 8 or Class 6 materials, or combinations thereof, classed as Class 3, Class 8 or Class 6, as appropriate.

4. PROPER SHIPPING NAME (49 CFR 172.101). Specific commodity name or generic description, as appropriate.

5. REGULATION AFFECTED. 49 CFR 173.119(a) and (m), 173.245(a), 173.346(a), 178.340-7, 178.340-8(c), 178.342-5, 178.343-5.

6. MODE OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a non-DOT specification cargo tank designed and constructed in full compliance with DOT Specification MC-307 or MC 312 (49 CFR 178.340, 178.342, 178.343) except as follows: After July 31, 1981 no new construction is authorized for tanks not complying with these requirements.

a. The cargo tank must be designed, built, and certified in accordance with Section VIII of the ASME Code to a minimum design pressure as follows and must be stamped for both internal and external pressure ratings:

Expired - Not Active
See page 4 * No. 10

Basic Cargo Tank Specification	Design Pressure (psig) Internal (See Note 1)	External (See Note 2)	Minimum Test Pressure (psig)
MC 307	25	15	37.5
MC 312	25	15	37.5

Note 1: The design pressure must be at least equal to the maximum pressure used for unloading.

Note 2: Vacuum tanks must have an external design pressure of at least 15 psi.

b. Circumferential reinforcement must comply with 49 CFR 178.340-7 except the maximum unreinforced portion of the shell may exceed 60-inches provided thickness and tensile strength of the shell material in combination with the frame and circumferential reinforcement produces structural integrity at least equal to that prescribed in 49 CFR 178.340-4(b).

c. Each loading/unloading outlet must be as specified in 49 CFR 178.345-11.

d. The metal identification plate and the manufacturer's certificate may not be marked to indicate compliance with DOT MC-307 or MC-312 specifications but instead must bear reference to DOT-E 7476.

e. Tanks that are to be used in transporting flammable waste materials must be equipped with a spring loaded relief valve.

f. The use of dome and washout covers as specified in drawings 1118, 1116, 1106, and P6751(501B) without accident damage protection guards are authorized. Any such dome or washout covers, likely to be impacted in an overturn accident, that are removed from service because of corrosion, wear or failure must be replaced by a dome or washout cover that meet the requirements of paragraph 7.g. of this exemption.

g. For cargo tank manufactured after June 1, 1985, any dome or washout cover without overturn guards that is likely to be impacted in an overturn on a roadway must be built of a material with an equal or greater toughness to that of the tanks shell material. Each such dome and washout cover design must be prototype tested to the following load without a failure that would result in loss of lading:

(i) An axial load normal to the tank's shell of at least 90,000 pounds for dome covers and 75,000 pounds for washout covers.

(ii) A tangential load of at least 23,000 lbs for both dome and washout covers.

A drawing of each such dome and washout cover and the associated prototype test report must be on file with OHMEA prior to use.

h. A dome cover may serve as an overturn guard for pressure relief devices provided the pressure relief devices are mounted on the rear side of the dome and in such a manner that in the event of cargo tank overturn, the dome cover will protect the pressure relief devices from impact and damage.

i. Two compartment cargo tank must be built with the inlet and discharge lines located and protected in accordance with drawing 1283 1023 dated December 26, 1983.

8. SPECIAL PROVISIONS.

a. Offerors for transportation of the hazardous materials specified in this exemption may use the packaging described in this exemption for the transportation of such hazardous materials so long as no modifications or changes are made to the packages, all terms of this exemption are complied with, and a copy of the current exemption is maintained at each facility from which such offering occurs.

b. A copy of this exemption, in its current status, must be maintained at each manufacturing facility at which this packaging is manufactured and must be made available to a DOT representative upon request.

c. A copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

d. Each cargo tank must be reinspected and retested in accordance with requirements set forth in 49 CFR Subpart E of Part 180 for DOT Specification MC-307 or MC 312 cargo tanks, as appropriate.

e. Each cargo tank must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background, "DOT-E 7476".

f. Each cargo tank 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 maintained or (2) marked with a registration symbol designated for specific manufacturing facility.

9. REPORTING REQUIREMENTS. The carrier is required to report any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of the 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.

10. EXPIRATION DATE. August 31, 1995.

Issued at Washington, D.C.:

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Alan I. Roberts
Associate Administrator for
Hazarduos Materials Safety

(DATE)

Address all inquiries to: Associate Adminsitrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Program.

Dist: FHWA.