U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

APR 2 7 2004

DOT-E 9145
(FIFTH REVISION)

EXPIRATION DATE: March 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: ExxonMobil Pipeline Company (EMPCo)
Houston, Texas
(Former grantee: Exxon Pipeline Company)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the use of a non-DOT specification container in the transportation of petroleum crude oil. 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 §§ 173.201, 173.202, 173.203, 173.242, and 173.243, except specified herein.

5. BASIS: This exemption is based on the application of EMPCo dated March 30, 2004, 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
Petroleum crude oil	3	UN1267	I, II or III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification container described as mechanical displacement meter provers mounted on skids, or on trucks or trailers complying with Exxon Pipeline Company's specification C-5757 and drawings C-9132, 3731, and E-6457 and sketches on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). The provers consist of schedule 40 pipes of welded and bolted flange construction having an internal volume varying from 5 to 150 gallons, designed and constructed in accordance with ANSI B31.4, B31.3, and B31.8 standards.

(1) The pressure rating as determined from the pipe component with the lowest pressure rating must be marked on each prover unit.

(2) During transportation the pressure in the prover must not exceed 25 percent of marked pressure rating.

(3) The bumper on the trucks or trailers must meet the requirements of §§ 178.340-8(b) and 393.86.

(4) NO NEW CONSTRUCTION IS AUTHORIZED.

b. TESTING - Each prover must be visually reinspected once a year and retested once every 5 years at not less than 75 percent of the prover's design pressure in accordance with § 173.32(e). Only meter provers requalified after May 31, 2000 are required to be in conformance with § 173.32(e).

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 changes 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.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

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

b. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.

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. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- 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 incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

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.

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