U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUL 14 1998

DOT-E 12069

EXPIRATION DATE: May 31, 2000

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Compagnie des Containers Reservoirs
Paris, France
(US Agent: ERMEWA, Inc., Houston, TX)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes an alternate internal visual inspection schedule for certain DOT Specification IM 101 portable tanks used in dedicated service for the transportation in commerce of methylthiopropionic aldehyde (4-thiapentanal) This exemption provides no relief from any regulation 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. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.32b(b) in that the inspection interval for the periodic internal inspection is increased from two and one-half to five years.

5. BASIS: This exemption is based on the application of ERMEWA, Inc. dated April 6, 1998, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Methylthiopropionic aldehyde (4-thiapentanal)	6.1	UN2785	III

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification IM 101 steel portable tank conforming to § 172.102(c)(7)(i) IM Tank Configuration T24.

b. TESTING -

(1) Each portable tank must be tested and inspected as specified in § 173.32b for DOT Specification IM 101 portable tanks except that the internal visual inspection required in § 173.32b(b) may be performed every five years in lieu of every two and one-half years.

(2) Each portable tank must be leak tested at each filling.

c. OPERATIONAL CONTROLS - DOT specification IM 101 portable tanks authorized under this exemption must be used in dedicated service for the transportation in commerce of methylthiopropionic aldehyde (4-thiapentanal)

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.

c. MARKING - Each tank must be plainly and durably marked "DOT-E 12069" as specified in §§ 172.302(b) and (c).

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

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each cargo vessel or 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.

    Each "Hazmat employee", as defined in 49 CFR 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 49 CFR 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. (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 incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

JUL 14 1998
(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.

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.

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