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

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

DOT-E 8761 (EXTENSION)
FIRST REVISION January 9, 1989
CORRECTED COPY

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 8761 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to February 28, 1994. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.105. This extension constitutes a necessary part of this exemption and must be attached to it.

J. Suzanne Hedgepeth

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

MAR 30 1992
(DATE)

Dist: FHWA

| EXEMPTION HOLDER | APPLICATION DATE |
|---|---|
| The Heil Company<br>Athens, TN | March 18, 1992 |

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 8761
(FIRST REVISION)
(CORRECTED COPY)

JAN 9 1989

1. The Heil Company, Milwaukee, Wisconsin, 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 of the hazardous materials described in paragraph 3 below in commerce subject to the requirements specified herein. This exemption authorizes use of a non-DOT specification cargo tank, and provides no relief from any regulation other than specifically stated.

2. BASIS. This exemption is based on the Heil Company's application dated February 25, 1988, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Liquid and semi-solid waste material, including mixtures, compatible with the packaging, containing flammable liquids or corrosives or poison B materials, or combinations thereof, classed as flammable liquid, corrosive material or poison B 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, 178.342-5, 178.343-5.

6. MODES 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:

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:

| Design Pressure (psig) | | | |
|---|---|---|---|
| Basic Cargo Tank Specification | 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. In place of internal valves prescribed in 49 CFR 178.342-5(a) and 178.343-5(b), each tank may be equipped with one 10-inch maximum diameter bottom outlet with gate, plug or butterfly valve and one optional 4-inch maximum diameter bottom inlet with gate, plug or butterfly valve located near the rear of tank in accordance with Drawing 701E5824 dated November 30, 1981 on file with the Office of Hazardous Materials Transportation (OHMT). Each bottom outlet and each bottom inlet must be equipped with an additional shut-off valve, or a blank flange or a sealing cap.

d. The metal identification plate and the manufacturer's certificate must not be marked to indicate compliance with DOT MC-307 or MC-312 specifications but instead must bear reference to DOT-E 8761.

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

8. SPECIAL PROVISIONS.

a. Shippers may use the packaging covered by this exemption pursuant to 49 CFR 173.22a.

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

c. Each cargo tank must be reinspected and retested once every two years in accordance with 49 CFR 177.824 as prescribed for DOT Specification MC-307 or MC 312 cargo tanks, as appropriate, at one and one-half times the sum of the design pressure plus the static head.

d. Each cargo tank must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting backgound, "DOT-E 8761."

e. The Manufacturer's Data Report for the first cargo tank fabricated must be submitted to the OHMT prior to initial shipment.

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package or cargo tank rollover must be reported to the OHMT as soon as practicable.

10. EXPIRATION DATE. February 28, 1990.

Issued at Washington, D.C.:

J. Suzanne Hedgepeth

Alan I. Roberts
Director
Office of Hazardous Materials Transportation

JAN 9 1989
(DATE)

Address all inquiries to: Director, Office of Hazardous Materials Transportation, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: FHWA.