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

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

DOT-E 9804 (EXTENSION)
FIRST REVISION February 26, 1990

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 9804 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to August 31, 1996. 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.

OCT 31 1994

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

Dist: FHWA FRA

EXEMPTION HOLDER	APPLICATION DATE
Rotonics Manufacturing, Inc. Gardena, CA	August 1, 1994

ADVISORY

IF YOU ARE A HOLDER OF AN EXEMPTION THAT AUTHORIZES THE USE OF A PACKAGING WITH A MAXIMUM CAPACITY LESS THAN 450 L (119 GALLONS) OR A MAXIMUM NET MASS LESS THAN 400 KG (882 POUNDS), PLEASE BE ADVISED THAT YOUR EXEMPTION MAY NOT BE RENEWED BEYOND SEPTEMBER 30, 1996. IN ADDITION, NO NEW CONSTRUCTION OF PACKAGINGS WHICH FALL WITHIN THE NON-BULK CAPACITIES LISTED ABOVE ARE AUTHORIZED AFTER SEPTEMBER 30, 1994. THIS IS CONSISTENT WITH THE IMPLEMENTATION OF THE NEW PACKAGING REQUIREMENTS ADOPTED UNDER DOCKET HM-181. ANY APPLICATION SUBMITTED TO THIS OFFICE TO RENEW AN EXEMPTION BEYOND THE SEPTEMBER 30, 1996 DATE WILL BE DENIED UNLESS THE APPLICATION CONTAINS SUPPORTING INFORMATION TO JUSTIFY THE CONTINUATION OF THE EXEMPTION.

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

FEB 26 1990

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

DOT-E 9804
(FIRST REVISION)

1. Rotational Molding, Inc., Gardena, California, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to manufacture, mark, and sell the packaging described in paragraph 7 below for use in the transportation of corrosive materials, flammable liquids or an oxidizer described in paragraph 3 below in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the use of a non-DOT specification rotationally molded, polyethylene portable tank enclosed in a steel frame, for the shipment of corrosive materials, flammable liquids, or an oxidizer, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Rotational Molding, Inc.'s application dated January 5, 1989, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon and additional information dated March 30, 1989 and January 16, 1990.

3. HAZARDOUS MATERIALS (Descriptor and class).

(a) Corrosive liquids for which a DOT-34 reusable polyethylene container is prescribed in 49 CFR Part 173, and which have no secondary hazards and a vapor pressure of no greater than 14.7 psia at 130°F., classed as corrosive material.

(b) Hydrogen peroxide solution in water containing 52 percent or less hydrogen peroxide by weight, classed as an oxidizer.

(c) Isopropyl alcohol, ethyl alcohol, methyl alcohol and solutions thereof, classed as flammable liquids; flammable liquids compatible with polyethylene which have no secondary hazards and have a flash point of 73°F. or higher, and a vapor pressure of no greater than 14.7 psia at 130°F; and other flammable liquids which have been specifically identified to, and acknowledged in writing, by the Office of Hazardous Materials Transportation (OHMT) prior to the first shipment.

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

5. REGULATION AFFECTED. 49 CFR Part 173, Subpart F; 173.119, 173.125, 173.266, 178.19, 178.253.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight.

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed is a non-DOT specification rotationally molded polyethylene portable tank having a nominal water capacity of 300 gallons or 330 gallons enclosed in an outer steel frame. The polyethylene portable tank has a bottom outlet (2" ball valve).

The 300 gallon portable tank must be as described in petitioner's June 19,1987 application and as shown on Rotational Molding, Inc. drawings 1067, Rev. 3; 1079; 1068 and 1169; included in petitioner's application. The 330 gallon portable tank must be as described in petitioner's January 5, 1989 application and as shown on Rotational Molding, Inc. drawing numbers H-1264 dated 12/31/87, and 1309 dated 10/10/88, included in petitioner's application. The outer steel frame may be equipped with expanded metal screens on the sides of the frame, as shown on Rotational Molding, Inc. Drawing number H-1336, dated 1/16/90. Each tank must be constructed in compliance with 49 CFR 178.19 except as follows:

i. 178.19-2(a) - Does not apply. Instead, container must be rotationally molded of polyethylene which has been specifically identified to and is acceptable to the OHMT.

ii. 178.19-3 - Minimum thickness of container must be 0.155 inch.

iii. 178.19-4 - Does not apply.

iv. 178.19-6(a) - Does not apply. Instead, each portable tank must be permanently marked by embossment or with a metal certification plate permanently affixed to each tank. The markings must be 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 requirements of this exemption and contain at least the following information:

DOT-E 9804 portable tank
Tank Manufacturer_____
Test pressure 15 psig.
Serial number_____
Date of manufacture__month/year
Tare weight_____lbs.
Rated gross weight_____lbs.
Capacity_____U.S. gal.

v. 178.19-7(a)(3) - Changed to read: Each portable tank shall be tested by retaining for 5 minutes, hydrostatic pressure of at least 15 psig at equilibrium without leakage or pressure drop.

vi. 178.19-7(c)(2) - Does not apply.

b. Each tank must be fitted with a pressure relief device that will limit the pressure in the tank to 15 psig and is in accordance with 49 CFR 178.253-4 except as follows:

(i)	178.253-4(a)	- Frangible devices are not authorized.
(ii)	178.253-4(c)(1)	- The pressure relief device must open at not less than 10 psig and not over 15 psig.
		- The minimum venting capacity for pressure activated vents must be 6,000 FH at not more than 15 pounds per square inch gage.
(iii)	178.253-4(c)(3)	- A fusible device that will function at a temperature no greater than 250°F may be used provided the vapor pressure in the tank at 250°F does not exceed 15 psig.

c. Portable tanks must be capable of satisfactorily withstanding the drop test and hydrostatic pressure test prescribed in 49 CFR 178.19-7(a), the stacking and lifting device tests prescribed in 49 CFR 178.251-5(a)(2), and the vibration test prescribed in 49 CFR 178.253-5(a)(1).

d. Each portable tank must possess the chemical and physical properties as reported to the OHMT by the petitioner's letter dated June 22, 1987 and January 5, 1989.

e. Any changes in design, resin, or process methods must be approved by the OHMT. Prototype test results for the tests required in paragraph 7.c. of this exemption must accompany any request for changes in design, resin, or process methods.

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 tanks, at a test pressure of 15 psig for 5 minutes 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 near the tank identification markings required in paragraph 7. a. iv. 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 having any portion of their molded body or components repaired are not authorized.

h. Commodities must be compatible with the polyethylene (PE) portable tank, and may not permeate the PE to an extent that a hazardous condition could be caused during transportation and handling.

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

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

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

l. Portable tanks must always be filled and shipped in the outer steel frame as shown in Rotational Molding, Inc. drawings No. 11068 or H-1336 on file with the OHMT.

8. SPECIAL PROVISIONS.

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

b. Each portable tank must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 9804".

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

d. Portable tanks may not be transported in container-on-flat car (COFC) or trailer-on-flat car (TOFC) service except under conditions approved by the Associate Administrator for Safety, Federal Railroad Administration. Portable tanks may be shipped only in a railcar that provides specific facilities for bracing and tie down of the tanks.

e. 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.

f. Each packaging manufactured in accordance with the requirements of this exemption must be marked in a manner which identifies the physical location (city and state) of the facility at which it is manufactured.

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package or packaging failure must be reported to the Office of Hazardous Materials Transportation as soon as practicable.

10. EXPIRATION DATE. December 31, 1991.

Issued at Washington, D.C.

FEB 26 1990

Alan I. Roberts
Director
Office of Hazardous Materials
Transportation

(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, FRA, USCG