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

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

MAR 2 2 2001

DOT-E 9779
(SECOND REVISION)

EXPIRATION DATE: February 28, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Unichem, BJ Services Company
The Woodlands, Texas

2. PURPOSE AND LIMITATIONS:

a. This exemption authorizes the manufacture, mark, sale and use of non-DOT specification portable tanks manifolded together within a frame and securely mounted on a truck chassis for the transportation of Class 3 and Class 8 hazardous materials described in paragraph 6 below. 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. 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 § 173.242 in that a non-DOT specification packaging is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Unichem, BJ Services dated January 5, 2001, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Corrosive liquids, n.o.s.	8	UN1760	II or III
Flammable liquids, n.o.s.	3	UN1993	II or III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a group of six (6), sixty (60) gallon capacity, non-DOT specification portable tanks manifolded together with a frame, having top and bottom openings, designed and constructed in accordance with Unichem International drawing PR 0185-01, Rev. 1, dated July 18, 1987 on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA) and in compliance with DOT Specification UN31A in all respects except:

(1) Tanks manufactured under this exemption in conformance with DOT Specification 57, except for capacity, marking and the use of sight glass, prior to October 1, 1996 may be used under the term of this exemption. No new construction is authorized.

(2) New tanks manufactured must comply with UN31A in all respects except for specification marking, water capacity, and that the use of sight glasses is authorized. A capacity of less than 110 gallons is authorized. Each sight glass must have shut-off valves, top and bottom and be provided with adequate protection to prevent accidental breakage. After the drop test is performed as described in § 178.810(c), a manifolded unit must also be subjected to a drop flat on a side, flat on the top, and on a corner, whichever is considered to be the most vulnerable part. The same or different container may be used for each drop.

b. TESTING -

(1) Each tank must be visually inspected prior to each trip to insure that it has not been damaged on the previous trip.

(2) Each DOT Specification 57 portable tank must be reinspected and retested once every two and one-half years in accordance with § 173.32(e) as prescribed for DOT Specification 57 portable tanks at a minimum pressure of 10 psig.

(3) Each UN31A intermediate bulk container must be reinspected and retested once every two and one-half years in accordance with § 180.352(b) as prescribed for UN31A intermediate bulk containers except that hydrostatic testing at a minimum pressure of 10 psig shall be conducted instead of leakproffness testing.

(4) The prototype test on this tank design will serve to qualify smaller tanks made of the same material and thickness, by the same fabrication technique, and with identical supports and equivalent closures and other appurtenances. The drawings showing the arrangement of the smaller tanks must be on file with OHMEA prior to the first shipment.

(5) A test report documenting a satisfactory prototype test for the tank assembly design of six tanks must be on file with the OHMEA prior to the first shipment.

(6) Hydrostatic test certificates for each tank must be maintained by the manufacturer or owner and made available upon request to any representative of the Department of Transportation.

c. OPERATIONAL CONTROLS -

(1) Each tank must be filled so as not to be liquid full at less than or equal to 130°F.

(2) Sight glasses shut off valves must be closed during transportation.

(3) Tanks are only authorized when manifolded together within a frame. The number of tanks within a group may not exceed six and many not exceed eighty (110) gallons capacity.

(4) Each filling over flow line must be fitted with a shut off valve on the top of the tank which must be secured during transportation.

(5) Each bottom discharge valve must be secured during transportation.

d. MARKING - Each manifolded unit must be plainly marked on both sides near the middle, in letters at least 2 inches high on a contrasting background, "DOT-E 10962". In addition, marking and placarding requirements for cargo tanks in 49 CFR part 172, Subparts D and F must be met.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

b. A person who is not a holder of this exemption, but 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 offered for transportation in conformance with this exemption and the HMR.

c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

d. Each packaging manufactured under the authority of this exemption must be marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.

e. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each 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. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.

- 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued at Washington, D.C.

MAR 22 2001
(DATE)

For Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: POlson/KFW