U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 8570 (EXTENSION)
SIXTH REVISION March 6, 1991

In accordance with 49 CFR 107.109 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 8570 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to February 28, 1999. 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 107.109. This extension constitutes a necessary part of this exemption and must be attached to it.

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

3/17/97
(DATE)

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
Snyder Industries, Inc. Lincoln, NE	May 15, 1996

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DOT-E 8570
(SIXTH REVISION)

1. Snyder Industries, Inc., Lincoln, Nebraska, 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 in commerce of the corrosive liquids, flammable liquids, poisonous solids or an oxidizer described in paragraph 3 below subject to the requirements specified herein. This exemption authorizes the use of a non-DOT specification rotationally molded, crosslinked or non-crosslinked, polyethylene portable tank for the shipment of corrosive liquids, flammable liquids, poisonous solids or an oxidizer, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Snyder Industries, Incorporated's applications dated April 16 and August 31, 1990, submitted in accordance with 49 CFR 107.103 and 107.105 and the public proceeding thereon, and supplemental application dated February 15, 1991, submitted in accordance with 49 CFR 107.113 and a determination that it is necessary to preclude serious economic loss.

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) Flammable liquids compatible with polyethylene which have no secondary hazards and have a flash point of 73°F or higher; combustible liquids; and other flammable liquids which have been specifically identified to, and acknowledged in writing, by the Associate Administrator for Hazardous Materials Safety (AAHMS) prior to the first shipment.

(d) Ethyl, isopropyl and methyl alcohol, and solutions thereof, classed as flammable liquids.

(e) Mixture containing not over 20% O-ethyl S-phenyl ethlyphosphonodithioate classed as a poison B, and other class B poisonous solids which have been specifically identified to, and acknowledged in writing, by the Associate Administrator for Hazardous Materials Safety 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, 173.118a, 173.119, 173.266, 173.365, 176.340, 178.19, 178.253.

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

7. SAFETY CONTROL MEASURERS.

a. Packaging prescribed is a non-DOT specification rotationally molded polyethylene portable tank having a nominal water capacity of either 200-gallons as shown in Snyder Industries, Inc. drawings CW 00717-00 and C001800 dated September 25, 1980; or 300 gallons as shown in Snyder Industries, Inc. drawing DO 772 dated March 28, 1983, or, when used for solids the drawings referenced above as modified by drawing D2012 dated October 18, 1990, and D2080 dated December 14, 1990, and other drawings on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). Each portable tank must be made from high density crosslinkable or non-crosslinkable polyethylene which has been specifically identified and is acceptable to the AAHMS. In addition, the tank must be in compliance with the provisions of 49 CFR 178.19, except as follows:

i.	178.19-3	-	Does not apply.
ii.	178.19-4(a)	-	For portable tanks used only for solid, openings shall not exceed those as found on drawing #D2012 referenced above.
iii.	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 must contain at least the following information:

DOT-E 8570 portable tank
Tank manufacturer_____
Test pressure 15 psig.
Serial number _____
Date of manufacture (month and year)
Tare weight _____ lbs.
Rated gross weight _____ lbs.
Capacity _____ U.S. gal.
Do Not Stack
Do Not Place Other Freight On Top of This Tank

iv. 178.19-7(a) - Where the test substance is required to be water and the tank will only be used for solids, a dry finely powdered substance of at least the density of product to be loaded may be substituted for water in drop tests.

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. For portable tanks used only for solids, a pneumatic test may be used in place of the required hydrostatic test.

b. Each tank must be fitted with a pressure relief device that will limit the pressure in the tanks 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 SCFH at not more than 15 pounds per square inch gauge.

(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) as modified by paragraph 7.a. above, and the vibration test prescribed in 49 CFR 178.253-5(a)(1).

d. The minimum thickness of the portable tank, measured at any point on the container, is 0.175-inch. Other details of the shipping container must be as depicted in Drawings CW 00717-00, C 001800, DO 772, C 003700-B and BO 18500, included in petitioner's applications.

e. Additionally, each portable tank must possess the chemical and physical properties as reported to the OHMEA by enclosures to petitioner's letters dated January 30, 1981 and October 31, 1986.

f. Any changes in design, resin, or process methods must be approved by the AAHMS. 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.

g. 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. For portable tanks used only for solids, a pneumatic test may be used in place of the required hydrostatic test. 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 on the tank near the tank identification markings required in paragraph 7.a.ii. 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.

h. Portable tanks with repaired bodies are not authorized.

i. 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.

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

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

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

m. Portable tanks must be capable of satisfactorily withstanding the performance testing cited above and the special tests on the bottom outlet fitting described in petitioner's supplementary test report letter dated April 1, 1981.

8. SPECIAL PROVISIONS.

a. Offerors for transportation of hazardous materials specified in this exemption may use the packaging described in this exemption for the transportation of such hazardous materials so long as no modifications or changes are made to the packages, all terms of this exemption are complied with, and a copy of the current exemption is maintained at each facility from which such offering occurs.

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 8570", and "Do Not Stack", and "Do Not Place Other Freight On Top Of This Tank". In addition, each portable tank used only for solids must be marked "FOR SOLIDS ONLY" near the exemption marking.

c. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufacturer or (2) marked with a registration symbol designated for a specific manufacturing facility.

d. Shippers using the packaging covered by this exemption must comply with the shipping paper, marking, labeling, and placarding requirements of 49 CFR Part 172; the special packaging requirements of 49 CFR 173.3a for certain poisonous materials; all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 100-180.

e. A copy of this exemption must be carried aboard each vessel used to transport packages covered by this exemption.

f. The provisions of 49 CFR 173.28(i) apply to portable tanks used for the shipment of poisonous materials.

9. REPORTING REQUIREMENTS: Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable.

10. EXPIRATION DATE. April 30, 1992.

Issued at Washington, D.C.

Joseph F. Horning
for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

MAR 6 1991
(DATE)

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

Dist: FHWA, FRA, USCG.