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

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

DOT-E 9728
(SECOND REVISION)

JUL 2 0 2001

EXPIRATION DATE: June 30, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: FMC Measurement Solutions
Corpus Christi, Texas
(Former grantee: Smith Systems Operations)

2. PURPOSE AND LIMITATIONS

a. This exemption authorizes the manufacture, mark, sale and use of non-DOT specification packaging described as mechanical displacement meter provers mounted on a truck chassis or trailer for the shipment of Class 3 materials identified in paragraph 6 below. This exemption provides no relief from any Hazardous Materials Regulation (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.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.242 and § 173.243 except as specified herein.

5. BASIS: This exemption is based on the application of FMC Measurement Solutions dated June 18, 2001, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Petroleum Crude Oil	3	UN1267	I, II, III
Petroleum Distillates, n.o.s. *or* Petroleum products, n.o.s.	3	UN1268	I, II, III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are non-DOT specification containers described as mechanical displacement meter provers mounted on a truck chassis or trailer. The meter provers have nominal water capacities between 15 and 300 gallons and are designed to ANSI Standard B31.4. The pressure vessel is made up of seamless or welded ASTM SA 53 Grade B or SA 106 schedule 40, or equivalent pipe. Pipe assembly is by 150 lb., 300 lb., or 600 lb. ANSI welded flange joints. The maximum services pressure is 285 psig for assemblies with 150 lb., ANSI flanges, 740 psig for assemblies with 300 lb. ANSI flanges, and 1480 lb. for assemblies with 600 lb. ANSI flanges at ambient temperature. Pressure relief devices are not required. The motor vehicle also contains a 20 to 40 gallon sump tank located below the truck bed. The sump tank is equivalent to DOT specification steel drums authorized for flammable liquids. The provers must be as shown on Moorco drawing 126040-3-00 dated February 15, 1984, and AS-100, Rev. 0 dated January 6, 1978, on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). In addition:

(1) The bumper for the truck or trailer must meet the requirements of 1990 edition § 178.340-8(b) and § 393.86.

(2) During transportation, the pressure of the prover must not exceed 25 percent of the maximum service pressure.

(3) The pressure rating as determined from the pipe component with the lowest pressure rating must be marked on each truck or trailer.

b. CONSTRUCTION - NEW CONSTRUCTION OF THIS PACKAGING IS NOT AUTHORIZED.

c. TESTING - Each prover must be visually reinspected once a year and retested at least once every 5 years at not less than 75 percent of the prover's design pressure in accordance with § 173.32(e). Only meter provers requalified after August 31, 2001, are required to be in conformance with § 173.32(e).

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 either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) 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. A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

b. Drivers must have been instructed as to the necessary safeguards and proper procedures in the event of unusual delay, fire or accident.

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:

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

- o 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 in Washington, D.C.

R. Ryan Fisher

Robert A. McGuire
for Associate Administrator for
Hazardous Materials Safety

JUL 2 0 2001
(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.

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: sln