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

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

JUL 24 2003

DOT-E 10789
(FIFTH REVISION)

EXPIRATION DATE: May 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: DPC Industries, Inc.
Houston, TX

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the use of a non-DOT specification, full opening head, steel salvage cylinder for overpacking certain damaged or leaking gas cylinders. 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.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.301(f) in that the salvage cylinder does not have a pressure relief device, and § 173.304a(a)(2) in that a non-DOT specification cylinder is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of DPC Industries, Inc. dated June 23, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Chlorine	2.3	UN1017	N/A, Hazard Zone B
Sulfur dioxide	2.3	UN1079	N/A, Hazard Zone C

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification full opening head, steel salvage cylinder of welded construction, with provisions for securely positioning the damaged cylinder contained within. The salvage cylinder must conform with the Chlorine Institute's drawing 188 dated March 19, 1987, on file in the Office of Hazardous Materials Exemptions and Approvals (OHMEA). The cylinder must be designed, constructed and stamped in accordance with Section VIII of the ASME Code for a working pressure of 250 psig at 300°F and as follows:

Volume	31 gallon water capacity (nom)
Material	ASTM A 283, A 53 Gr. B or equivalent carbon steel
Outside diameter	12 inches, nominal
Length	64 inches, nominal
Sidewall thickness	0.230 inch, minimum
Design service pressure (MAWP)	250 psig at 70°F
Test pressure	375 psig
Openings - sidewall	3/4 inch threaded outlet inside a protective cap

Pressure relief devices	None
Welded attachments	2-lifting rails 2 supports

b. TESTING - Each salvage cylinder must be visually inspected (internally and externally) and hydrostatically retested once every 5 years at a test pressure of at least 375 psig. The visual inspections must be performed in accordance with the Compressed Gas Association's Pamphlet C-6. The retest and inspection must be made by an employee that is familiar with the salvage cylinder and is trained and experienced in the use of the inspection and testing equipment. Records of retest must be made available to a DOT representative upon request.

c. OPERATIONAL CONTROLS -

(1) Damaged cylinders containing liquefied gases with a vapor pressure exceeding 250 psig at 70°F are not authorized.

(2) The nonliquefied gases in damaged cylinders to be transported must be limited in pressure and volume so that if totally discharged into the salvage cylinder the pressure at 70°F will not exceed 250 psig.

(3) Each salvage cylinder must be cleaned and purged after each use.

(4) Drivers and persons who load, unload or transport these cylinders must have been trained in handling, loading and unloading the cylinder. The loaded salvage cylinder must be delivered to the consignor or consignee as soon as practicable.

(5) Transportation is limited to motor vehicles owned or leased by the holder of this exemption or its customers or vehicles owned or leased by contract carriers employed by the exemption holder.

8. SPECIAL PROVISIONS:

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

b. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this exemption and the HMR.

c. Salvage cylinders are authorized to overpack leaking 100 and 150 pound capacity cylinders of the following DOT specifications:

(1) 3A480 or 3AA480 cylinders containing chlorine or sulfur dioxide.

(2) 4BA300 cylinders containing sulfur dioxide.

d. Each salvage cylinder must be secured to the motor vehicle by a securement system that conforms with the requirements contained in §§ 393.100 through 393.106.

e. Each salvage cylinder must be plainly marked on opposite sides near the middle, in letters at least 2 inches high on a contrasting background, "DOT-E 10789" and "SALVAGE CYLINDER".

f. Each salvage cylinder must be labeled as containing either a chlorine cylinder or a sulfur dioxide cylinder.

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, 49 CFR 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 inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

JUL 24 2003

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

(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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: CWFreeman/sdc