U.S. Department
of Transportation

**Research and
Special Programs
Administration**

OCT 20 1994

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

DOT-E 11337

EXPIRATION DATE: January 20, 1995

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: U.S. Vanadium Corporation, Hot Springs, Arkansas.

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of the hazardous material in paragraph 6 in non-DOT specification portable tanks described in paragraph 7. This exemption provides no relief from any regulation other than as specifically stated herein.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Section 173.242.

5. BASIS. This exemption is based on U.S. Vanadium Corporation's emergency application dated October 18, 1994 submitted in accordance with 49 CFR 107.113 and a determination that it is necessary to preclude serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
Vanadium Pentoxide	6.1	UN2862	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - A cylindrically shaped non-specification portable tank with a conical top must be as depicted in Union Carbide Corporation drawing number 252-64 2nd revision dated August 13, 1971.

b. TESTING - Each portable tank must be capable of retaining, without leakage, an internal air pressure of 5 psig.

c. MARKING -- (i) The sides of each portable tank must be marked in two places, 180° apart, "KEEP THIS END UP" and "Do Not Stack" with an arrow pointing to the tank top. The exemption marking, "DOT-E 11337 must be permanently and durably marked near the middle in two places, 180° apart, in characters at least five centimeters (two inches) high on a contrasting background.

(ii) Each portable tank must be clearly marked with a certificate plate permanently affixed to each tank. The markings may contain at least the following information:

DOT-E 11337
Tank manufacturer_____
Test pressure: 5 psig air.
Serial number_____
Date of manufacture _____
(month and year)_____
Tare weight_____lbs.
Rated gross weight_____lbs.
Capacity_____U.S. gallons
Do Not Stack.

d. OTHER - No new construction of these tanks permitted after the effective date of this exemption.

8. SPECIAL PROVISIONS.

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

9. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

10. MODAL REQUIREMENTS: A 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. Section 5101 et seq.:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

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 unless a regulation has been amended making the exemption no longer necessary.

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. (49 CFR 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 incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

OCT 20 1994

Alan I. Roberts
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.

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.

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