U.S. Department
of Transportation

**Research and
Special Programs
Administration**

DEC 29 1999

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

DOT-E 12328
(SECOND REVISION)

EXPIRATION DATE: November 30, 2001

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Certitank, LLC
Coatesville, Pennsylvania

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the rebuilding or modification and sale of certain DOT Specification 4B, 4BA, and 4BW cylinders for use in the transportation in commerce of the materials authorized by this exemption. 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 § 173.34(l) in that a different rebuilding procedure is authorized and the marking requirements specified in §§ 172.203(a) and 172.301(c).

5. BASIS: This exemption is based on the applications of Certitank, LLC dated July 8, 1999, October 29, 1999 and November 12, 1999, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Hazardous materials authorized for shipment in DOT 4B, 4BA, and 4BW cylinders per 49 CFR Part 173.	As appro-priate	As appro-priate	As appro-priate

7. SAFETY CONTROL MEASURES: This exemption authorizes the rebuilding or modification (replacement or addition of openings on the upper head) of DOT Specification 4B, 4BA and 4BW steel cylinders in accordance with the following:

a. Only cylinders originally manufactured to a DOT Specification 4B, 4BA and 4BW may be rebuilt or modified and represented as DOT 4B, 4BA or 4BW cylinders. Changes from one DOT specification to another are prohibited.

b. Rebuilding or modification work must be performed in accordance with an approved procedures manual on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA), and in accordance with § 173.34(l).

c. Certitank, LLC must be considered a manufacturer subject to the requirements of § 178.2(a)(2) and Subpart C of Part 178.

d. After removal of a non-pressure component and before replacement of any non-pressure component, the cylinder must be visually inspected in accordance with the requirements of CGA Pamphlet C-6. Rejected cylinders must be repaired and rebuilt as prescribed in § 173.34(i) or (l), or condemned.

e. Rebuilding or modification of any cylinder involving a joint subject to internal pressure may only be performed by fusion welding. The rebuilder may rebuild a DOT 4B, 4BA or 4BW cylinder having a water capacity of 20 pounds or greater by replacing a head of the cylinder using a circumferential joint. When this weld joint is located at other than an original welded joint, a notation of this modification must be shown on the Manufacturer's Report of Rebuilding (see

Appendix A). Weld joint must be on the cylindrical section of the cylinder.

f. Welding must be:

(1) Performed in accordance with the procedures and qualification requirements of CGA Pamphlet C-3.

(2) Performed using welding rods compatible with the material of the cylinder including any non-pressure component.

(3) Performed on an area free of any contaminant.

(4) For modifications only, performed in accordance with the procedures and qualification requirements of CGA Pamphlet C-3 and with National Board Inspection Code Part RC-1103 and RD-1030 on file with the OHMEA,.

g. Each rebuilt or modified cylinder must be:

(1) Heat treated as required in the applicable specification. Cylinders to be modified only are not required to be heat treated.

(2) Subjected to a full hydrostatic volumetric expansion test as specified in the applicable cylinder specification in Part 178. The results of the tests must conform to the requirements of the applicable cylinder specification.

(3) Inspected and have test data reviewed to determine conformance with the applicable cylinder specification.

(4) Made of material in conformance with the specification. Determination of conformance must include chemical analysis, verification, inspection and tensile testing of the replaced part. Tensile tests must be performed by lots defined in the applicable specification.

h. A record of rebuilding, in the format presented in Appendix A, must be completed for each rebuilt or modified cylinder.

i. A copy of the reports of rebuilding or modification must be maintained by the rebuilding facility for at least 15 years.

8. SPECIAL PROVISIONS.

a. The marking requirements of §§ 172.203(a) and 172.301(c) are waived.

b. Each packaging rebuilt or modified under the authority of this exemption must be either (1) marked with the name of the rebuilder and location (city and state) of the facility at which it is rebuilt or modified or (2) marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific rebuilding facility.

c. Each packaging rebuilt or modified under the authority of this exemption and in accordance with an approval issued under § 173.34(l) must be marked with the approval number issued to the holder of this exemption.

d. A copy of this exemption, in its current status, must be maintained at the facility where the packaging is rebuilt or modified and must be made available to the DOT representative upon request.

e. 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.

f. 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.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only and passenger-carrying aircraft (unless forbidden by the HMR).

10. MODAL REQUIREMENTS: None, other than as required by the HMR.

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 this 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.:

For Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

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(DATE)

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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.

Dist: FHWA, FRA, USCG, FAA
PO: CWF

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APPENDIX A

Manufacturer's Report of Rebuilding

Cylinder Identification

Manufacturer_____
Cylinder Specification Number and Service Pressure_____
Cylinder Serial Number_____
Date of Original Manufacture_____
Other Identification Marks_____
_____

Rebuild Information

Chemical Analysis of Replacement Parts

Parts Being Replaced_____
Heat Identification _____
Steel Manufactured by_____
Analysis Performed by_____

C	P	S	SI	Mn	Ni	Cr	Mo	Cu	AL	Zr
___	___	___	___	___	___	___	___	___	___	___

Record of Physical Test Replacement Parts

Yield PSI	Tensile PSI	Elongation in _____inches	Reduction of Area %	Weld Tensile	Weld bend
_____	_____	_____	_____	_____	

Record of Hydrostatic Test

Calculated Volumetric Capacity of Cylinder Being Rebuilt

Actual Test Pressure	Total Expansion	Permanent Expansion	% of Total to Perman.	Volumetric Capacity
_____	_____	_____	_____	_____

(Volumetric capacity of rebuilt cylinder must be + or 3% of the calculated capacity)

I certify that this rebuilt cylinder is accurately represented by the data above and that all provisions of DOT-E 12328 and other applicable regulations have been complied with.

Repair Technician_____ Date _____

Company Representative _____ Date _____