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

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

DEC 24 2003

DOT-E 13335

EXPIRATION DATE: March 31, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: D&D Proves It, Inc.
Salina, KS

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the transportation in commerce of liquefied petroleum gas residue vapors in a non-DOT specification packaging described as a volumeric meter prover mounted on a trailer. 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 §§ 173.304 and 173.315 in that the use of a non-DOT specification packaging is not authorized except as specified herein.

5. BASIS: This emergency exemption is based on the application of D & D Proves It, Inc. dated November 24, 2003 and supplemental information dated November 26, 2003, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Liquefied petroleum gas	2.1	UN1075	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification packaging described as a volumetric meter prover tank mounted on a trailer. The meter prover has a water capacity of 100 gallons and is designed, constructed and "U" stamped in accordance with Section VIII, Division 1 of the ASME Code. The maximum allowable working pressure is 250 psig. Pressure relief devices are not required. The meter prover conforms with the Arrow Tank and Engineering brochure and technical specifications submitted with the application on file with the Office of Hazardous Materials Exemptions and Approvals.

b. TESTING - The meter prover must be visually inspected once a year and hydrostatically pressure tested at least once every five years at a pressure of 375 psig.

c. OPERATIONAL CONTROLS -

(1) Immediately prior to highway transportation, the meter prover will be depressurized and drained of all liquid content.

(2) The bumper for the trailer must meet the requirements of 49 CFR 178.345-8(d) and 393.86.

(3) During transportation, the maximum pressure in the prover may not exceed 25 percent of the MAWP.

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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. The meter prover tank must be plainly and durably marked "DOT-E 13335" on both sides, in letters at least two inches high on a contrasting background.

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

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 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 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.:

DEC 4 2003
(DATE)

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, 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: PTOlson