U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

MAR 1994

DOT-E 3095 (EXTENSION)
SIXTH REVISION May 2, 1990

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations (HMR), DOT-E 3095 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to **December 31, 1994.** All other terms of the exemption remain unchanged.

This emergency extension, which will prevent serious economic loss, applies only to the party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.113. This emergency extension constitutes a necessary part of this exemption and must be attached to it. This emergency extension is not retroactive.

This emergency extension does not resolve proceedings which may be initiated by the Office of Chief Counsel, Research and Special Programs Administration, concerning operations which occurred between September 30, 1993, the expiration date, and December 3, 1993 the original issue date of the emergency extension, which were not in compliance with the HMR, and which were no longer authorized by any exemption.

Joseph T. Harrigan
for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

MAR 31 1994
(DATE)

Dist: FHWA USCG FRA

EXEMPTION HOLDER	APPLICATION DATE
Dowell Schlumberger Inc. Houston, Texas	March 22, 1994

US Department
of Transportation

Research and
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MAY 2 1990

DOT-E 3095
(SIXTH REVISION)

1. Dowell Schlumberger Inc., Tulsa, Oklahoma, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to transport packages prescribed herein of certain hazardous materials described in paragraph 3 below in commerce subject to the requirements specified herein. This exemption authorizes use of a non-DOT specification cargo tank, and provides no relief from any regulation other than specifically stated. Each of the following is hereby granted the status of a party to this exemption:

Dow Chemical Co., Midland, MI - PTE-1.

2. BASIS. This exemption is based on Dowell Schlumberger, Inc.'s, application dated October 7, 1988 submitted in accordance with 49 CFR 107.105 and the public proceeding thereon. The granting of party status is based on the following application submitted in accordance with 49 CFR 107.111 and 107.105 and the public proceeding thereon:

Dow Chemical Co.'s application dated October 7, 1988.

3. HAZARDOUS MATERIALS (Descriptor and class). The following hazardous materials:

a. Uninhibited hydrochloric acid, and inhibited hydrochloric acid and hydrochloric acid mixtures not exceeding 36% strength, classed as corrosive material.

b. Mixtures of inhibited hydrochloric acid and hydrofluoric acid provided the corrosive effect on steel of such mixtures is no greater than that of inhibited hydrochloric acid not exceeding 28% strength, classed as corrosive material.

c. Inhibited acid mixtures containing 9% formic acid and not over 6% hydrofluoric acid, classed as a corrosive material.

d. Hydrofluoric acid not exceeding 20% strength, classed as corrosive material.

e. Fluoboric acid not exceeding 48% strength, classed as corrosive material.

f. Formic acid up to 90% strength, classed as corrosive material.

g. The corrosive materials authorized by 49 CFR 173.245 and 173.249 that are compatible with tank material, specifically identified to and acknowledged in writing by the Office of Hazardous Materials Transportation (OHMT).

h. Flammable liquids having vapor pressures not over 16 pounds per square inch absolute at 100°F and flash points above 20°F.

4. PROPER SHIPPING NAME (49 CFR 172.101). Specific commodity name, or generic description, as appropriate. For waste materials, the description must be preceded by the word "Waste."

5. REGULATION AFFECTED. 49 CFR 173.119(a) and (b), 173.245(a), 173.249(a), 173.263(a), 173.264, 173.283, 173.289, 178.342-5, 178.343-5.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle and cargo vessel.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a privately owned and operated steel non-DOT specification cargo tank motor vehicle designed and constructed in full conformance with DOT Specification MC-300, MC-306 MC-307, or MC-311, MC-312 (49 CFR 178.340, 178.341, 178.342, 178.343) except as follows. (After December 1, 1967, construction must be in accordance with MC-306, MC 307 or MC-312 Specification except that after November 30, 1984, new construction must be in accordance with MC 307 or MC 312 specification except as follows).

a. Minimum thickness of head and shell must be 3/16 inch.

b. Tanks may be unlined or lined with synthetic polymer such as Gavlon or Kynar.

c. The tank may have bottom discharge outlets without interior shut off valves provided such bottom outlets are equipped with effective and reliable shut off valves located immediately adjacent to the tank proper, and provided further that such valve and its associated piping are located within and protected by the vehicle frame or protective framework in compliance with 49 CFR 178.340-8(d). Such bottom outlets must be equipped with an additional shut off valve, a blank flange or a sealing cap. Any pipe not permanently connected to a pump or other appurtenance, and any pump or appurtenance so connected shall have a plug, sealing cap or blind flange, to be in place and closed tight against leakage during transportation.

d. The metal identification plate and the manufacturer's certificate must not be marked to indicate conformance with DOT MC-306, MC-307 or MC-312 specifications but instead must bear reference to DOT-E 3095.

e. Tanks that are to be used in transporting flammable materials must be equipped with pressure relieving devices conforming with 49 CFR 178.341 or 178.342-4.

8. SPECIAL PROVISIONS.

a. Only lined cargo tanks are authorized for those commodities named in paragraph 3.a above. Unlined cargo tanks are not authorized for uninhibited hydrochloric acid nor for inhibited hydrochloric acid and its mixtures exceeding 28% strength.

b. A copy of this exemption must be carried aboard each motor vehicle and cargo vessel used to transport packages covered by this exemption.

c. Each cargo tank must be reinspected and retested once every year in accordance with 49 CFR 177.824 as prescribed for DOT Specification MC-306, MC-307 or MC 312 cargo tanks, as appropriate, at one and one-half times the sum of the design pressure plus the static head. Reinspection must include ultrasonic thickness measurement in accordance with procedures on file with the OHMT. Any tank found to have tank wall thickness less than that specified in 49 CFR 178.343-2, Tables I and II must not be returned to service.

d. Each cargo tank must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background, "DOT-E 3095." Where tanks are mounted side by side, the left tank may be marked on the left side near the front.

e. Cargo tanks specified herein marked "DOT SP 3095" prior to the issuance of this exemption may be transported under the terms of this exemption.

f. For shipments by the water mode:

(1) Each tank must be thoroughly washed with an alkaline solution after every use in order to neutralize any excess acid. This washing must be accomplished within the effective life of the inhibitor or in any case within 6 days of the loading of the tank;

(2) Each tank must have an internal visual inspection for corrosion prior to loading of any commodity authorized herein. Any tank found to have tank wall thickness less than that specified in 49 CFR 178.343-2 Tables I and II must be rejected for service.

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package or packaging failure must be reported to the Office of Hazardous Materials Transportation as soon as practicable.

10. EXPIRATION DATE. October 31, 1990.

Issued at Washington, D.C.:

MAY 2 1990

(DATE)

Alan I. Roberts
Director
Office of Hazardous Materials
Transportation

Address all inquiries to: Director, Office of Hazardous Materials Transportation, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C., 20590. Attention: Exemptions Branch.

Dist: FHWA, USCG.