FEB 23 1996

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

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

DOT-E 11637

EXPIRATION DATE: **September 1, 1996**

(FOR RENEWAL, SEE 49 CFR SECTION 107.105)

1. GRANTEE: SPRAYTECH, INC.
Wichita, Kansas

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of a certain flammable liquid in non-DOT specification cargo tanks as described in paragraph 7. below. 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 173.242(b) in that non-DOT specification cargo tanks are not authorized; Subpart F of Part 107 in that the cargo tank manufacturer was not registered with the Research and Special Programs Administration (RSPA).

5. BASIS: This emergency exemption is based on SPRAYTECH, INC.'s application dated February 9, 1996, submitted in accordance with 49 CFR 107.113 and additional information submitted on February 13, 1996, and a determination that it is necessary to preclude a serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Resin solution, flammable	3	UN1866	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are ten non-DOT specification steel cargo tanks made to the MC 306 specification except that when these tanks were fabricated, the manufacturer, Wichita Steel Fabricators, Inc., was neither registered with RSPA nor held an ASME Certificate of Authorization for use of the "U" stamp, both of which are required by 49 CFR 107.501 et seq.

(1) Drawings and engineering calculations are on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). Drawing numbers, capacities and serial numbers are as shown in the following table:

Serial No.	Capacity(gal)	Drawing No.	Date of Dwg.
18561A	120	D1495, sh.1&2	Jan. 12, 1995
18674A	120	D1504, sh.1&2	Feb. 15, 1995
18674B	ditto	ditto	ditto
18688A	120	D1505, sh.1&2	Mar. 28, 1995
18688B	ditto	ditto	ditto
18710A	120	D1505, sh.1&2	May 5, 1995
18689A	160	D1506, sh.1&2	Mar. 28, 1995
18562A	250.4	D1496, sh.1&2	Jan. 13, 1995
18562B	ditto	ditto	ditto
18699A	250.4	D1507, sh.1&2	Mar. 28, 1995

(2) Cargo tanks covered by this exemption must not be identified as DOT specification cargo tanks.

8. SPECIAL PROVISIONS:

a. 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.

b. MARKING - The cargo tanks covered by this exemption must be marked "DOT-E 11637" on the left side of the vehicle near the front in letters at least two inches high on a contrasting background.

c. The exemption holder must report in writing to the OHMEA on the status of the replacement of the cargo tanks authorized by this exemption by serial number on a monthly basis.

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.

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.:

FEB 23 1996

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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