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

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

MAR 14 2002

DOT-E 12892
(FIRST REVISION)

| EXPIRATION DATE: February 29, 2004 |
|---|

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Bulk Truck and Transport Service, Inc.
Hanover, IN

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of cargo tank motor vehicles manufactured, marked and sold as DOT Specification MC 331 cargo tank motor vehicles conforming to all the regulations applicable to a DOT Specification MC 331 cargo tank motor vehicle, except as specified herein. 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.

c. Party status will not be granted to this exemption.

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

4. REGULATIONS FROM WHICH EXEMPTED: The marking requirement in § 172.203(a); and § 178.337-10(d) in that a bumper design with alternative performance requirements is not authorized except as specified herein.

5. BASIS: This exemption is based on the application of Bulk Truck and Transport Service, Inc. (BT&T) dated January 31, 2002 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 |
|---|---|---|---|
| Petroleum gases, liquefied | 2.1 | UN1075 | N/A |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are certain cargo tank motor vehicles manufactured, marked and sold by BT&T as DOT Specification MC 331 cargo tank motor vehicles conforming to all the regulations applicable to a DOT Specification MC 331 cargo tank motor vehicle except for the bumper design specified in § 178.337-10(d). As an alternative to the bumper design specified in § 178.337-10(d), the subject cargo tank motor vehicles are fitted with a rear end protection device meeting the requirements of § 178.345-8(d) for a GVWR of 33,000 pounds. The rear end protection device built to BT&T DWG. T-5288 has been certified as meeting the requirements of § 178.345-8(d) by Lawrence A. Botkin, P.E., a registered design certifying engineer (CT-1686), on January 10, 2002. BT&T DWG. T-5288 and supporting calculations are on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who 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 reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. Each cargo tank motor vehicle must be plainly and durably marked "DOT-E 12892" as specified in §§ 172.302(b) and (c). The marking requirement specified in § 172.203(a) is waived.

d. BT&T must provide the Federal Motor Carrier Safety Administration, Hazardous Materials Division, and OHMEA with a list of affected cargo tank motor vehicle (CTMV) serial numbers and owners of CTMVs operating under this exemption within 30 days of receipt of this exemption.

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.:

J. Suzanne Hedgspeth

Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

MAR 14 2002
(DATE)

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: CHH/AM