NOV 2 - 1993

U.S. Department of Transportation

Research and Special Programs Administration

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

DOT-E 8742
(FOURTH REVISION)

1. Cusco Fabricators Incorporated, Ontario, Canada, (U.S. Agent - Charles W. Walton, Beachwood, Ohio) is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to manufacture, mark, and sell certain non-DOT specification cargo tanks as described in paragraph 7 below for use in the transportation of the 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. Note: Reference to 49 CFR sections in this exemption re to regulations in effect on September 30, 1991.

2. BASIS. This exemption is based on Cusco Fabricators Limited's application dated August 26, 1993, submitted in accordance with 49 CFR 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class). Liquid and semi-solid waste material, including mixtures, compatible with the packaging, containing flammable liquids or corrosives or poison B materials, or combinations thereof, classed as Class 3, Class 8 or Class 6 as appropriate.

4. PROPER SHIPPING NAME (49 CFR 172.101). Specific commodity name or generic description, as appropriate.

5. REGULATION AFFECTED. 49 CFR 173.119(a) and (m), 173.245(a), 173.346(a), 178.340-7, 178.342-5, 178.343-5.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a non-DOT specification cargo tank designed and constructed in full compliance with DOT Specification MC-307 or MC-312 (49 CFR 178.340, 178.342, 178.343) except as follows:

a. The cargo tank must be designed, built and certified in accordance with Section VIII of the ASME Code to a minimum design pressure as follows and must be stamped for both internal and external pressure ratings:

Basic Cargo Tank Specification	Design Pressure (psig) Internal (See Note 1)	External (See Note 2)	Test Pressure (psig)
MC 307	25	15	37.5
MC 312	25	15	37.5

Note 1: The design pressure must be at least equal to the maximum pressure used for unloading.

Note 2: Vacuum tanks must have an external design pressure of at least 15 psi.

b. Circumferential reinforcement must comply with 49 CFR 178.340-7 except the maximum unreinforced portion of the shell may exceed 60-inches provided thickness and tensile strength of the shell material in combination with the frame and circumferential reinforcement produces structural integrity at least equal to that prescribed in 49 CFR 178.340-4(b).

c. In place of internal valves prescribed in 49 CFR 178.342-5(a) and 178.343-5(b), each tank may be equipped with one 6-inch maximum diameter bottom outlet with remote closure with self closing gate, plug or butterfly valve and one optional 4-inch maximum diameter bottom inlet with gate, plug or butterfly valve located near the rear of tank in accordance with Drawing D 81-001 dated May 1981 on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). Each bottom outlet and each bottom inlet must be equipped with an additional shut-off valve, or a blank flange or a sealing cap.

d. The metal identification plate and the manufacturer's certificate must not be marked to indicate compliance with DOT MC-307 or MC-312 specifications but instead must bear reference to DOT-E 8742.

e. Tanks that are to be used in transporting flammable waste materials must be equipped with a spring loaded relief valve.

f. No new construction is authorized.

8. SPECIAL PROVISIONS.

a. Offerors for transportation of hazardous materials specified in this exemption may use the packaging described in this exemption for the transportation of such hazardous materials so long as no modifications or changes are made to the packages, all terms of this exemption are complied with, and a copy of the current exemption is maintained at each facility from which such offering occurs.

b. 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 100-180.

c. A copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

d. Each cargo tank must be reinspected and retested once every two years in accordance with 49 CFR 177.824 as prescribed for DOT Specification 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.

e. 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 8742."

f. The Manufacturer's Data Report for the first cargo tank fabricated must be submitted to the Associate Administrator for Safety Hazardous Materials prior to initial shipment.

g. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated for a specific manufacturing facility.

h. A copy of this exemption, in its current status, must be maintained at each manufacturing facility at which this packaging is manufactured and must be made available to a DOT representative upon request.

9. REPORTING REQUIREMENTS. Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable.

10. EXPIRATION DATE. January 15, 1994.

Issued at Washington, D.C.:

NOV 2 - 1993

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, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: FHWA.