U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 1 1 2003

DOT-E 9048
(SEVENTH REVISION)

EXPIRATION DATE: May 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Daniel Measurement and Control, Inc.
Statesboro, GA
(Former Grantee: Daniel Brooks Petroleum Operations)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the manufacture, mark, sale and use of non-DOT specification containers for the transportation in commerce of certain hydrocarbon products classed as flammable liquids or flammable gases. This exemption provides no relief from any 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 §§ 173.201, 173.202, 173.203, 173.304a, and 173.315, except as specified herein.

5. BASIS: This exemption is based on the application of Daniel Measurement and Control, Inc. dated May 28, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|---|---|---|---|
| **Proper Shipping Name** | **Hazard Class/ Division** | **Identi-fication Number** | **Packing Group** |
| Flammable liquid, n.o.s. | 3 | as appro-priate | as appro-priate |
| Liquefied gas, flammable, n.o.s. | 2.1 | as appro-priate | N/A |

7. SAFETY CONTROL MEASURES: Prescribed packagings are non-DOT specification containers described as mechanical displacement meter provers mounted on skids, complying with Fisher Rosemount Petroleum's drawings 92761-E, 92885-E, 92984-E, 93100-E and 93197-E, and Phillips No. 2-99, on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). The provers consist of schedule 80 or XXH pipes of welded and bolted flange construction having an internal volume varying from 5 to 290 gallons, designed to ANSI B31.4 standards and a nitrogen cylinder made in accordance with Section VIII of the ASME Code and drawings 92804-D, 92873-D, 93053-D, and 93168-D. In addition:

a. The pressure rating as determined from the lowest pressure pipe component must be marked on each prover unit.

b. During transportation the pressure in the prover must not exceed 25 percent of the pipe pressure rating at ambient temperature.

c. The bumper for the vehicle must meet the requirements of §§ 178.345-8(d) and 393.86.

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

e. TESTING - Each prover must be visually reinspected once a year and retested once every 5 years at not less than 75 psig in accordance with § 173.32(e). Only meter provers requalified after August 31, 2001, are required to be in conformance with § 173.32(e).

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

b. A person who is not a holder of this exemption, but 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 offered for transportation in conformance with this exemption and the HMR.

c. 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 by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.

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

e. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.

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, 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 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. (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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued in Washington, D.C.:

Robert A. McGuire
For Associate Administrator for
Hazardous Materials Safety

JUN 1 1 2003
(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.

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/sln