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

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

MAR 11 2003

DOT-E 9961
(SEVENTH REVISION)

EXPIRATION DATE: January 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Linco-Electromatic Measurement, Inc.
Kilgore, Texas

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the continued use of certain non-DOT Specification container described in paragraph 7 below for the transportation in commerce of the hazardous materials described in paragraph 6 below. 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.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.201, § 173.203, § 173.242, § 173.243, § 173.304a, § 173.314, and § 173.315 in that a non-specification packaging is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Linco-Electronmatic Measurement, Inc. dated February 6, 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**
Combustible liquid, n.o.s.	Combustible liquid	NA1993	III
Flammable liquids, n.o.s.	3	UN1993	I
Fuel oil (No. 1, 2, 4, 5, or 6)	3	NA1993	III
Gasoline	3	UN1203	II
Petroleum crude oil	3	UN1267	I
Petroleum gases, liquefied or Liquefied petroleum gas	2.1	UN1075	N/A

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING: Packagings prescribed are non-DOT specification containers described as mechanical displacement meter provers mounted on a truck chassis or trailer. The meter provers have nominal water capacities between 61 and 214 gallons and are designed to ANSI Standard B31.4 and American Petroleum Institute Standard 2531. The pressure vessels are made up of seamless ASTM SA 53, 6 inch through 10 inch nominal pipe size (NBS), schedule 40, grade B or equivalent. Pipe assembly is by 150 lb., 300 lb., or 600 lb. ASA welded flange joints. The maximum service pressure is 275 psig for assemblies with 150 lb. ASA flanges, 720 psig for assemblies with 300 lb. ASA flanges, and 1440 psig for assemblies with 600 lb. ASA flanges. Pressure relief devices are not required. The motor vehicle or trailer also contains a 15 gallon or 20 gallon sump tank. The sump tank is equivalent to DOT specification steel drums authorized for flammable liquids. The provers must be as shown on Brown Measurement Co. Inc. drawings numbers 0335M, C-12-10-4 dated June 19, 1987, 321 dated June 19, 1987, 1540 dated June 19, 1987, 121983 dated June 19, 1987, 111181 dated June 19, 1987, 1920 dated June 19, 1987 and 122591 dated December 25, 1991, on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). In addition, the bumper for the truck or trailer must meet the requirements of § 178.340-8(b) and § 393.86. No new construction is authorized.

b. TESTING:

1. Each prover must be visually inspected once a year and retested at least every 5 years at not less than 75 percent of the prover's design pressure in accordance with § 173.32(e). Only meter provers requalified after May 31, 2000 are required to be in conformance with § 173.32(e).

2. The sump tank must be visually reinspected once a year and pressure retested at least once every five years at a minimum pressure of 15 psig.

c. OPERATIONS CONTROL: During transportation, the pressure in the prover may not exceed 25 percent of the maximum service pressure.

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.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

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

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

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.

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- 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 inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Ann Mazzulla

for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

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(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: sln