JAN 29 1998

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

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

DOT-E 8921
(ELEVENTH REVISION)

EXPIRATION DATE: September 30, 1998

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Hoover Materials Handling Group, Inc.
Beatrice, Nebraska

2. PURPOSE AND LIMITATION: This exemption authorizes the manufacture, marking and sale of a nonreusable, non-DOT specification polyethylene portable tank enclosed in a steel jacket, wire cage or a fiberboard overpack, for the transportation in commerce of materials listed in paragraph 6 below. This exemption provides no relief from any regulation other than as specifically stated herein. (NOTE: Reference to 49 CFR sections in this exemption are to regulations in effect on September 30, 1991.)

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Part 173, Subpart F, 173.118a, 173.119, 173.125, 173.266, 176.340.

5. BASIS: This exemption is based on the application of the Hoover Group, Inc. dated December 17, 1997, and submitted in accordance with 49 CFR 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Class 8 liquids for which a DOT specification 37M/2SL or DOT 37M/2U nonreuseable containers prescribed in 49 CFR Part 173, in effect on September 30, 1991, which have no secondary hazards and which have a vapor pressure of no greater than 14.7 psia at 130° F.	8	as applica-ble	as appli-cable
Hydrogen peroxide solution in water containing 52% or less hydrogen peroxide by weight.	5.1	as applica-ble	as appli-cable
Hyrazine hydrate or hydrazine aqueous solutions, with not more than 64% hydrazine	8	UN2030	II
Resin solution	3	UN1866	II
Toluene diisocyante	6.1	UN2078	II
Isopropyl, ethyl, and methyl alcohols and solutions thereof, class 3 materials which have no secondary hazards and have flash points above 73°F; combustible liquids compatible with polyethylene; and other class 3 materials which are specifically identified to, and acknowledged in writing by the Office of Hazardous Materials Exemptions and Approvals (OHMEA) prior to the first shipment.	3	as appli-cable	as appli-ble
Division 5.1 materials, classed as Division 5.1 or blasting agents authorized under DOT-E 8723; and other Class 8, Class 3 or Division 5.1 materials and blasting agents, and Division 6.1 materials specifically identified to and acknowledged in writing by the OHMEA.			

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. Packaging prescribed is a nonreusable non-DOT specification polyethylene portable tank having a nominal capacity of 275 or 330 U.S. gallons, as shown on Hoover Group Inc.'s drawing Number 318244 dated September 17, 1990 or 250012 dated May 30, 1991. Minimum wall thickness of polyethylene is 0.060 inch. The tank must be equipped with a pressure relief device set at not less than 3 psig and have a minimum venting capacity of 6,700 SCFH at 5 psig. If a fusible plug is used as the pressure relief device, it must function at a temperature no greater than 250°F and at a pressure less than the specified test pressure.

b. The 275 gallon tanks must be overpacked as follows:

(1) In a galvanized steel container with 24 gauge top and bottom and 20 gauge sides as shown on Hoover Universal drawing 315682, dated April 22, 1989, or

(2) In a multi-walled minimum double/double corrugated fiberboard container. The general design is a modified slotted container with glued flaps on the top and bottom, arranged as shown on Hoover Group Drawing No 317273, dated April 22, 1989. Top outside flaps must meet with no more than 1.75 inches total gap between edges. The outer bottom flaps may produce an overall gap not to exceed 11 inches wide by the length of the box, approximately 48 inches. The bottle may not protrude below the top pallet boards, or

(3) In a wire cage overpack as shown on the Hoover Group, Inc. drawing number 317378 dated April 22, 1989, or drawing number 250012, Rev. A, dated May 30, 1991.

c. The 330 gallon tanks must be overpacked in a wire cage overpack as shown on the Hoover Group, Inc. drawing number 250012 Rev. A, dated May 30, 1991, and as described in Hoover Group, Inc.'s application dated May 31, 1991.

d. Commodities must be compatible with the polyethylene tank and may not permeate the polyethylene to an extent that a hazardous condition could be caused during transportation and handling.

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 the shipping paper, marking, labeling, and placarding requirements of 49 CFR Part 172; all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 100-180.

c. Each tank must be plainly marked on two sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 8921" and "Nonreusable Container".

d. The vibration test specified in 49 CFR 178.253-5 and the drop tests specified in 49 CFR 178.24-7 must be performed on a prototype tank within the overpack with satisfactory results. Additionally, the tank must be designed to withstand a 10 psig pressure test and show no signs of leakage.

e. Certification of the pressure relief device capacity must be submitted to the OHMEA prior to the first shipment.

f. For shipments by water, frangible relief devices are not authorized.

g. A copy of this exemption must be carried aboard each vessel used to transport packages covered by this exemption.

h. Portable tanks for hydrogen peroxide must have a vented closure to prevent accumulation of internal pressure.

i. The sides of each portable tank must be marked "KEEP THIS END UP" in two places, 180° apart, with an arrow pointing to the tank top.

j. 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.

k. 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.

1. Consistent with the regulations adopted under Docket HM-181E for intermediate bulk containers (IBCs), exemptions for IBCs of the type covered by those regulations will not allow new construction after September 30, 1996. Existing IBCs may be continued in service, provided renewal provisions under Section 107.109are met, until September 30, 1998, under the conditions specified in the exemption that applies to their use. After September 30, 1998, each IBC must conform to, and be certified as meeting a UN IBC standard set forth in Subparts N and O of Part 178 of the Hazardous Materials Regulations (HMR: 49 CFR). A provision for approval of an equivalent IBC is specified in 49 CFR 178.801(i).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each cargo vessel or 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.

Each "hazmat employee", as defined in 49 CFR 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 requirements of 49 CFR 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. (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.:

JAN 29 1998

(DATE)

for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

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.

Dist: USCG, FHWA