U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

NOV 2 2004

DOT-E 9004
(FIFTH REVISION)

EXPIRATION DATE: September 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Weamco/Metric
Tulsa, OK
(Former Grantee: Metric/PMI)

2. PURPOSE AND LIMITATIONS:

a. This exemption authorizes the manufacture, mark, sale and use of non-DOT specification truck mounted containers described as mechanical displacement meter provers for the transportation in commerce of the Class 3 materials authorized by this exemption. 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 § 173.202 and 173.242 in that a non-DOT specification packaging is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Weamco/Metric dated September 30, 2004, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Flammable liquids, toxic n.o.s.	3	UN1993	II
Gasoline	3	UN1203	II
Petroleum crude oil	3	UN1267	II
Petroleum distillates, n.o.s. *or* Petroleum products, n.o.s.	3	UN1268	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a non-DOT specification container described as a mechanical displacement meter prover complying with Metric/PMI's drawings D-175 Rev. 4 dated 12/20/81, D-186 Rev. 1 dated 11/22/81, D-151 Rev. B dated 1/4/81, C-108 Rev. 0 dated 10/11/72, and C-566 Rev. 2 dated 3/9/82 mounted on trucks or trailers. The provers consist of pipes having an internal volume varying from 15 to 730 gallons, designed to ANSI B31.4 standards.

b. TESTING - Each prover must be visually reinspected once a year and retested once every 5 years at not less than 75 percent of the prover's design pressure in accordance with § 180.605. Only meter provers requalified after May 31, 2000 are required to be in conformance with § 180.605.

c. OPERATIONAL CONTROLS:

(1) Internal pressure must be relieved to atmospheric pressure immediately before transportation.

(2) During transportation, the maximum pressure in the prover may not exceed 25 percent of pipe pressure rating at ambient temperature.

(3) The bumper for the vehicle must meet the requirements of § 393.86.

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 modification or change is made to the package or its contents and it is offered for transportation in conformance with this exemption and the HMR.

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

d. 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.

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.

f. MARKING - The outside of each meter prover must be plainly and durably marked, in letters 2 inches high on a contrasting background, "DOT-E 9004". The maximum service pressure, as determined from the pipe component with the lowest pressure rating, must be marked on each prover unit.

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.
- Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- 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 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.:

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