L.C.

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

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

DOT-E 9944

OCT 28 1988

1. Sotralentz, S.A., Drulingen, France, (U.S. Agent: Intercon Research Associates, Ltd., Evanston, Illinois,), is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to manufacture, mark, and sell the packaging described in paragraph 7 below for use in the transportation of the corrosive materials, flammable liquids or an oxidizer described in paragraph 3 below in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the use of a nonreusable non-DOT specification blow molded, polyethylene portable tank enclosed in a steel frame, for the shipment of corrosive materials, flammable liquids, or an oxidizer, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Sotralentz, S.A.'s application dated March 21, 1988, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon and supplemental information dated October 7, 1988.

3. HAZARDOUS MATERIALS (Descriptor and class).

a. Corrosive liquids for which a DOT-37M/2SL or DOT 37M/2U nonreusable containers are prescribed in 49 CFR Part 173, and which have no secondary hazards and a vapor pressure of no greater than 14.7 psia at 130°F., classed as corrosive material.

b. Hydrogen peroxide solution in water containing 52 percent or less hydrogen peroxide by weight, classed as an oxidizer.

c. Flammable liquids compatible with polyethylene which have no secondary hazards and have a flash point of 73°F. or higher; and other flammable liquids which have been specifically identified to, and acknowledged in writing, by the Office of Hazardous Materials Transportation (OHMT) prior to the first shipment.

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

5. REGULATION AFFECTED. 49 CFR Part 173, Subpart F; 173.119, 173.125, 173.266.

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

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed is a nonreusable, non-DOT specification blow molded polyethylene portable tank having a nominal water capacity of 1000 liters (265 US gallons) enclosed in an outer steel frame. The polyethylene portable tank has one capped valve bottom outlet and must be as shown on Sotralentz Master Drawing No. 5.2.11.48.a, dated August 22, 1986 with supporting drawings dated January 5, 1983 (2" valve cap), August 7, 1986 (tank), April 3, 1987 (frame arrangement),

April 3, 1987 (cover), April 4, 1987 (discharge valve). The tank is mounted on and secured to a pallet base. Minimum wall thickness of polyethylene container must be 2.0mm (0.078 inch), except at corners, where minimum thickness is 1.2mm (0.047 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. A prototype tank within the outer steel frame must be subjected to and satisfactorily withstand the drop test and hydrostatic pressure test prescribed in 49 CFR 178.19-7(a) except the hydrostatic pressure test may be at 14.5 psig in lieu of the 15 psig cited, the stacking test prescribed in 49 CFR 178.251-5(a)(2), and the vibration test prescribed in 49 CFR 178.253-5(a)(i).

c. Each portable tank must be capable of satisfactorily withstanding tests in paragraph b above.

d. Each portable tank must possess the chemical and physical properties as reported to the OHMT by the petitioner's letter dated March 21, 1988.

e. Any changes in design, resin, or process methods must be approved by the OHMT. Prototype test results for the tests required in paragraph 7.b. of this exemption must accompany any request for changes in design, resin, or process methods.

f. Portable tanks having any portion of their molded body or components repaired are not authorized.

g. Commodities must be compatible with the polyethylene (PE) portable tank, and must not permeate the PE to an extent that a hazardous condition could be caused during transportation and handling.

h. 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.

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

j. Portable tanks must always be filled and shipped in the outer steel frame as shown in Sotralentz supporting drawing dated April 3, 1987, included in petitioner's application.

8. SPECIAL PROVISIONS.

a. Shippers may use the packaging covered by this exemption pursuant to 49 CFR 173.22a.

b. Each portable tank must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 9944" and "Nonreusable Container".

c. Each packaging manufactured in accordance with the requirements of this exemption must be marked in a manner which identifies the physical location (city and state) of the facility at which it is manufactured.

d. 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.

e. Portable tanks may not be transported in container-on-flat car (COFC) or trailer-on-flat car (TOFC) service except under conditions approved by the Associate Administrator for Safety, Federal Railroad Administration. Portable tank may be shipped only in a railcar that provides specific facilities for bracing and tie down of the tanks.

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

g. Certification of the pressure relief device capacity must be submitted to the OHMT prior to the first shipment.

h. No corrosive liquids for which bottom outlets are prohibited by the IM Tank Table may be transported by vessel in polyethylene portable tanks that have bottom outlets.

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package must be reported to the OHMT as soon as practicable.

10. EXPIRATION DATE. September 30, 1990.

Issued at Washington, D.C.:

Joseph T. Horning

for Alan I. Roberts
Director
Office of Hazardous Materials
Transportation

OCT 28 1988
(DATE)

Address all inquiries to: Director, Office of Hazardous Materials Transportation, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: FHWA, FRA, USCG