



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

**MAR 17 2004**

DOT-E 11511  
(FIRST REVISION)

EXPIRATION DATE: January 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Brenner Tank, Inc.  
Fond du Lac, WI
  
2. PURPOSE AND LIMITATIONS:
  - a. This exemption authorizes the manufacture, mark, sale and use of a piston carrying non-DOT Specification cargo tank motor vehicle conforming in part with the Specification DOT 407 cargo tank motor vehicle to be used for the transportation in commerce of printing ink, flammable. This exemption provides no relief from any regulation other than as specifically stated herein.
  
  - b. An exemption authorization to manufacture, mark, sell, and transport only represents certification of safety for a package when it is an article of commerce in transportation. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
  
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

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4. REGULATIONS FROM WHICH EXEMPTED: § 178.345-3(b) in that the front head flanges do not meet the required minimum thickness and § 178.345-10(c) in that the venting device is in the rear head of the tank.
5. BASIS: This exemption is based on the application of Brenner Tank, Inc. dated December 15, 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
Printing ink, flammable or Printing Ink related material (including painting ink thinning or reducing compound), flammable	3	UN1210	II

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are non-DOT specification cargo tank motor vehicles having a Maximum Allowable Working Pressure (MAWP) of 25 psig and a maximum operating pressure of 3 psig which utilize a piston to unload the lading. Each cargo tank motor vehicle must be designed and constructed in accordance with Brenner Tank Inc. drawings IN-B-586 through IN-B-592 dated January 24, 1994, and calculations on file with the Office of Hazardous Materials Exemptions and Approvals and Specification DOT 407 (§§ 178.345 and 178.347) except as follows:

- (1) § 178.345-3(b) in that the front head flanges do not meet the required minimum thickness.
- (2) § 178.345-10(c) in that the venting device is in the rear head of the tank.

b. TESTING - Each cargo tank motor vehicle must comply with all test and inspection requirements of § 178.345 and § 178.347 for Specification DOT 407 cargo tank motor vehicles, and must meet all requirement for the periodic testing and inspections of Part 180 Subpart E for Specification DOT 407 cargo tank motor vehicle.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of 49 CFR 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. 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 manufacturing facility at which this packaging is manufactured and must be made available to a DOT representative upon request.

f. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

g. MARKING - Each cargo tank motor vehicle must be plainly and durably marked on the left side of the vehicle near the front of the cargo tank, in letters and numbers at least two inches high on a contrasting background, "DOT-E 11511".

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:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o 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.
  - o Registration required by § 107.601 et seq., when applicable.

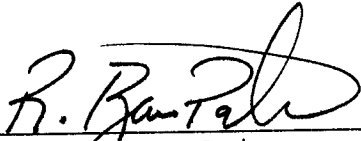
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

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.:



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Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

MAR 17 2004

(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