U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 8337 (EXTENSION)
THIRD REVISION March 5, 1991

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 8337 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to December 31, 1993. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.105. This extension constitutes a necessary part of this exemption and must be attached to it.

FEB 0 4 1992

(DATE)

J. Suzanne Hedgepeth
Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

Dist: FHWA

EXEMPTION HOLDER	APPLICATION DATE
Waste Controls Corporation Galva, IL	January 21, 1992

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MAR 5 1991

DOT-E 8337
(THIRD REVISION)

1. Waste Controls Corporation, I.M.E Division, Galva, Illinois is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to manufacture, mark, and sell certain non-DOT specification cargo tanks as described in paragraph 7 below for use in the transportation in commerce of the hazardous materials described in paragraph 3 below subject to the requirements specified herein. This exemption authorizes use of a non-DOT specification cargo tank, for waste materials and provides no relief from any regulation other than specifically stated.

2. BASIS. This exemption is based on Industrial and Municipal Engineering's application dated April 5, 1990, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon, and supplemental letter from Waste Controls Corporation dated October 16, 1990.

3. HAZARDOUS MATERIALS (Descriptor and class). Liquid and semi-solid waste material, including mixtures, compatible with the packaging, containing flammable liquids or corrosives or poison B materials, or combinations thereof, classed as flammable liquid, corrosive material or poison B, as appropriate.

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

5. REGULATION AFFECTED. 49 CFR 173.119(a) and (m), 173.245(a), 173.346(a), 178.340-7, 178.342-5, 178.343-5.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a non-DOT specification cargo tank designed and constructed in full conformance with DOT Specification MC-307 or MC-312 (49 CFR 178.340, 178.342, 178.343) except as follows:

a. The cargo tank must be designed, built and certified in accordance with Section VIII of the ASME Code to a minimum design pressure as follows and must be stamped for both internal and external pressure ratings:

Basic Cargo Tank Specification	Design Pressure (psig) Internal (See Note 1)	External (See Note 2)	Minimum Test Pressure (psig)
MC 307	25	15	37.5
MC 312	25	15	37.5

Note 1: The design pressure must be at least equal to the maximum pressure used for unloading.

Note 2: Vacuum tanks must have an external design pressure of at least 15 psi.

b. Circumferential reinforcement must comply with 49 CFR 178.340-7 except the maximum unreinforced portion of the shell may exceed 60-inches provided thickness and tensile strength of the shell material in combination with the frame and circumferential reinforcement produces structural integrity at least equal to that prescribed in 49 CFR 178.340-4(b).

c. In place of internal valves prescribed in 49 CFR 178.342-5(a)and 178.343-5(b), each tank may be equipped with one 6-inch maximum diameter bottom outlet with a gate, plug or butterfly valve and one optional 4-inch maximum diameter bottom inlet with a gate, plug or butterfly valve located near the rear of the tank in accordance with Drawing 3-418-002 dated November 29, 1979 on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). Each bottom inlet/outlet must be part of a self-closing system designed to close the loading/unloading outlet with 30 seconds of actuation. An inlet which is used only for loading that has its outlet above the maximum liquid level of the cargo tank is not required to be fitted with a self-closing system. The self-closing system must include a remotely actuated means of closure located more than 10 feet from the loading/unloading connection. If a cable linkage is used, it must be corrosion resistant and effective in all types of envorinments and weather. When the cargo tank motor vehicle is used to transport flammable liquids or poison B materials, the remote means of closure must be activated by manual, mechanical, or thermal means. The thermally activated function of the self-closing system must engage at a temperature not over 250°F. In addition, each bottom inlet/outlet valve must be equipped with an additional shut-off valve, or a blank flange or a sealing cap.

d. The metal identification plate and the manufacturer's certificate may not be marked to indicate compliance with DOT MC-307 or MC-312 specifications but instead must bear reference to DOT-E 8337.

e. Cargo tank motor vehicles that transport flammable waste materials must be equipped with a spring loaded relief valve.

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

c. Each cargo tank must be reinspected and retested in accordance with 49 CFR Part 180 as prescribed for DOT Specification MC-307 or MC 312 cargo tanks at one and one-half times the sum of the design pressure plus the static head.

d. Each cargo tank must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background, "DOT-E 8337."

e. The Manufacturer's Data Report for the first cargo tank fabricated must be submitted to the OHMEA prior to initial shipment.

f. Cargo tanks complying with paragraph 7 above may be loaded with any waste material listed in paragraph 3 of the exemption.

g. Cargo tanks not in compliance with paragraph 7 above built before December 31, 1981 in accordance with the original issue, corrected copy of this exemption may continue in use for transporting all hazardous waste materials other than "Poison B", and;

(1) No new construction is authorized after December 31, 1981.

(2) The locking mechanism on tanks with the full open rear head dump feature must be designed with a safety factor of 4 times the tank design pressure based on the ultimate strength of the tank material.

(3) Each tank with the rear head dump feature must be visually inspected prior to and after each refill for signs of deterioration or failure of closing mechanism. Inspections must be made every six months and inspections records maintained on file.

h. 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.

i. 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.

j. Shippers using the packaging covered by this exemption must comply with the shipping paper, marking, labeling, and placarding requirements of 49 CFR Part 172; the special packaging requirements of 49 CFR 173.3a for certain poisonous materials; all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 100-180.

9. REPORTING REQUIREMENTS: Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable.

10. EXPIRATION DATE. February 28, 1992.

Issued at Washington, D.C.

Edward T. Mazzullo March 5, 1991

Alan I. Roberts (DATE)
Associate Administrator
for Hazardous Materials Safety

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

Dist: FHWA.