

February 26, 2004



U.S. Department
of Transportation

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

**Research and
Special Programs
Administration**

DOT-E 13421
(FIRST REVISION)

EXPIRATION DATE: **December 31, 2005**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: SMI Companies (SMI)
Franklin, LA
2. PURPOSE AND LIMITATIONS:
 - a. This exemption authorizes the manufacture, mark, sale and use of a non-DOT specification portable tank equipped with an external bottom discharge valve conforming with all regulations applicable to a UN portable tank, except as specified herein, for the transportation in commerce of the 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 § 173.243(c) in that a non-DOT specification tank is not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of SMI Companies dated September 12, 2003, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
All corrosive liquids authorized for portable tanks in §§ 173.241(c) and 173.242(c)	8	as appropriate	II & III
Corrosive liquid, acidic, organic, n.o.s.	8	UN3265	II
Corrosive liquid, basic, inorganic, n.o.s.	8	UN3266	II
Corrosive liquid, flammable, n.o.s.	8	UN2920	II
Corrosive liquid, toxic, n.o.s.	8	UN2922	II
Fluoroboric acid	8	UN1775	II
Formic acid	8	UN1779	II
Hydrochloric acid	8	UN1789	II
Hydroflouric acid, with not more than 60% strength	8	UN1790	II

7. SAFETY CONTROL MEASURES:a. PACKAGING -

(1) Prescribed packaging is a non-DOT specification steel portable tank which is designed, constructed and certified in conformance with the ASME Code, including the ASME Code "U" stamp. The tank design conforms with the requirements of a steel UN portable tank, as specified in §178.275, except that the tank has a bottom outlet fitted with three serially-mounted closures consisting of an external discharge valve attached to the bottom flange of the tank, a butterfly valve, and a cam-lock cap at the end of the discharge line. The tank is mounted in an ISO frame. Each tank conforms to drawing numbers 97070622, Revision 0, Sheets 1 and 2, dated 1/19/01, and specifications contained in the exemption application on file with Office of Hazardous Materials Exemptions and Approvals

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(OHMEA). The tank design criteria are as follows:

Material of construction -	SA 516 Grade 70
Wall thickness -	0.375 inches
Design pressure -	58 psig
Length -	5'-0" (maximum)
Diameter -	5'-6" (nominal)
Capacity -	1050 gallons
Rotational molded liner -	1/4" Polyethylene
Pressure relief valve -	One 3" on top center
Pressure relief capacity -	8879 SCFM

b. TESTING -

(1) Each tank must be tested, retested and reinspected in accordance with requirements for a steel UN portable tank contained in §§ 178.273, 178.274 and 180 Subpart G, including approval by a Designated Approval Agency; and

(2) The polyethylene lining for each tank is tested at least once a year using equipment and procedures prescribed by the lining manufacturer or installer. Degraded or defective areas of the liner must be removed and the portable tank shell below the defect must be inspected. If the minimum thickness of the tank shell is below 0.375 inches, the portable tank must be removed from service.

c. OPERATIONAL CONTROLS - The external valve attached to the bottom flange of the tank must be spring-loaded and air-operated. Both external valves must be closed and the end of the bottom discharge line must be capped during transportation.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: -

(1) Each tank must be durably marked on two sides near the middle in letters at least 2 inches high on a contrasting background "DOT-E 13421".

(2) Each portable tank authorized by this exemption may not be identified or otherwise be represented as a DOT Specification IM 101 or UN portable tank.

g. This exemption is limited to portable tanks used for transportation in support of offshore oil and gas exploration and production in the Gulf of Mexico within the jurisdiction of the United States of America.

h. Transportation in international commerce is not authorized.

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

10. MODAL REQUIREMENTS: A current 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. 5101 et seq:

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- 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.:



for Robert A. McGuire
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.

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: PTolson