



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 17 2004

DOT-E 9418
(SIXTH REVISION)

EXPIRATION DATE: May 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: West Texas Fabrication, Inc.
Odessa, TX
2. PURPOSE AND LIMITATIONS:
 - a. This exemption authorizes the manufacture, mark, sale and use of non-DOT specification portable tank assemblies manifolded together within a frame and securely mounted on a truck chassis, to be used for the transportation in commerce of the materials listed in paragraph 6 below. 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 § 173.242 in that non-DOT specification packaging is not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of West Texas Fabrication, Inc. dated May 11, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Those hazardous materials currently authorized to be shipped in a DOT Specification 57 portable tank	3 or 8 as appropriate	As appropriate	As appropriate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is an assembly of six (6) 60-gallon capacity or four (4) 80-gallon capacity, non-DOT specification portable tanks manifolded together within a frame, having top and bottom openings, designed and constructed in accordance with West Texas Fabrication drawings dated April 9, 1985, and February 3, 1983, on file with the Office of Hazardous Materials Exemptions & Approvals (OHMEA). The tanks must be constructed in conformance with DOT Specification 57 in all respects except as follows:

(1) The line which reads "Specification identification" on the metal certification plate required by the 1990 edition of 49 CFR § 178.251-7 may not be marked DOT Specification 57.

(2) A capacity of less than 119 gallons is authorized.

(3) The use of sight glasses is authorized. Each sight glass must have shut-off valves, top and bottom, and be provided with adequate protection to prevent accidental breakage.

b. TESTING - Each tank must be (i) visually inspected prior to each trip to ensure that it has not been damaged on the previous trip; and (ii) reinspected and retested once every two years in accordance with § 180.605 as prescribed for DOT Specification 57 portable tanks at a minimum pressure of 10 psig.

JUN 17 2004

c. OPERATIONAL CONTROLS -

(1) Each tank must be filled so as not to be liquid full at less than or equal to 130°F.

(2) Sight glasses shut-off valves must be closed during transportation.

(3) Each filling overflow line must be fitted with a shut-off valve on the top of the tank which must be closed during transportation.

8. SPECIAL PROVISIONS:

a. A test report documenting a satisfactory prototype test for this tank design assembly must be on file with the OHMEA prior to the first shipment.

b. Hydrostatic test certificates for each tank must be maintained by the manufacturer or owner and made available upon request to any representative of the Department of Transportation.

c. Tanks are only authorized when manifolded together within a frame.

d. Marking and placarding requirements specified for cargo tanks in 49 CFR Part 172, Subpart D and Subpart F, must be met.

e. 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.

f. 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.

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

JUN 17 2004

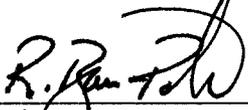
- h. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.
- i. 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.
- j. MARKING - Each manifolded unit must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 9418".
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, 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 the 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.:



Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

JUN 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: JSH/sln