



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

APR 6 2004

DOT-E 11031
(SIXTH REVISION)

EXPIRATION DATE: March 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109.)

1. GRANTEE: American Fuel Cell and Coated Fabrics Company,
(Amfuel)
Magnolia, Arkansas.
2. PURPOSE AND LIMITATIONS:
 - a. This exemption authorizes the manufacture, mark and sale of non-DOT specification bulk packagings to be used for the transportation in commerce of certain Class 9 resins. 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 § 173.241, except as specified herein.
5. BASIS: This exemption is based on the application of Amfuel dated January 5, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identific- ation Number	Packing Group
Other Regulated Substance, Liquid, n.o.s. (Resins that contain less than 3% formaldehyde and less than 0.8% sodium hydroxide)	9	NA3082	III

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification bulk packaging, made of synthetic rubber and high-strength cord fabric, and marketed under the name "Fabritank". The Fabritank is truck-mounted and has a maximum capacity of 4,600 gallons. The Fabritank meets the criteria of Military Specification MIL-T-53055C(ME) dated September 16, 1991. Maximum allowable operating pressure is 7 psi. The truck-mounted Fabritank must be secured to the vehicle with at least three tie-down assemblies. Four tie-down assemblies are required for tanks longer than 28 feet.

b. TESTING - Each Fabritank must be leak tested with air pressure of 3 psi and hydrostatically tested at 18 psi during production.

c. REUSE - Packages may be reused, provided they are inspected and retested in accordance with Customer Use and Maintenance Procedures described in Amfuel's application. Every six months packages being reused must be air inflated at 3 psi and visually inspected. An annual hydrostatic pressure test at 12 psi is required.

d. MARKING - Each Fabritank must be marked near the loading/unloading connection in letters at least two inches high on a contrasting background "DOT-E 11031". Reused packages must be marked durably and legibly with the type and date of the last inspection or test. The marking must be in letters at least 1 1/4 inches high in a location easily accessible to view before loading.

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 modifications or changes are made to the package and it is offered for transportation in conformance with this exemption and the HMR.

c. Offerors for transportation of the hazardous materials specified may reuse the packaging described in this exemption, provided each package is rolled out and visually inspected prior to refilling. Reused packages must be used and maintained in accordance with Customer Use and Maintenance Procedures as described in the Amfuel application.

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

e. 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.

f. 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.

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 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

APR 6 2004
(DATE)

APR 6 2004

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: dl