



U.S. Department  
of Transportation

Research and  
Special Programs  
Administration

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

**OCT 13 2004**

DOT-E 11911  
(FOURTH REVISION)

EXPIRATION DATE: April 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Transfer Flow, Inc.  
Chico, CA
2. PURPOSE AND LIMITATIONS:
  - a. This exemption authorizes the manufacture, mark, sale and use of non-DOT specification metal refueling tanks containing certain Class 3 liquids. The Class 3 liquids will be discharged from the refueling tanks without removing the refueling tanks from the vehicle on which they are transported. 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 § 177.834(h) in that the tank is unloaded while on a motor vehicle and § 178.700(c)(1) in that the size of the authorized package is less than 119 gallons.
5. BASIS: This exemption is based on the applications of Transfer Flow, Inc. dated April 27, 2000 and November 21, 2001, submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Material Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Diesel fuel	3	NA1993	III
Ethanol	3	UN1170	II, III
Flammable liquids, n.o.s. (with vapor pressure of less than 16 psia at 130°F)	3	UN1993	II, III
Fuel, aviation, turbine engine	3	UN1863	II, III
Gasoline	3	UN1203	II
Kerosene	3	UN1223	III
Methanol	3	UN1230	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are metal non-DOT specification refueling tanks constructed of aluminum, stainless steel or aluminized steel conforming with all the requirements for a DOT Specification UN31A or UN31B intermediate bulk container (IBC) except for water capacity. The size of the tank must not exceed 119 gallons.

b. TESTING - Each design type must meet the testing and certification requirements specified in § 178.803 for metal IBCs. Each tank must be periodically retested every 2.5 years in accordance with § 180.352.

c. OPERATIONAL CONTROLS -

(1) Tanks must be attended at all times during loading and unloading operations by a qualified person. For the purposes of this requirement, "attended" and "qualified" must have the meanings described in § 177.834(i)(3) and (4), respectively.

(2) Hoses may not be attached to discharge outlets during transportation.

(3) Tanks may not be manifolded together.

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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. Each packaging manufactured under the authority of this exemption must be marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured.

d. 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, 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*  
611 Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

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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: DBerger/alb