



U.S. Department  
of Transportation

Research and  
Special Programs  
Administration

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

JUN 28 2004

DOT-E 12917  
(THIRD REVISION)

EXPIRATION DATE: May 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Northwest Ohio Towing & Recovery, Inc.  
Beaverdam, OH
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce of certain non-DOT specification cargo tanks (airport refueller trucks) containing a residue of gasoline. 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(b) in that the use of non-DOT specification cargo tanks is not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of Northwest Ohio Towing & Recovery, Inc. dated June 10, 2004 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

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Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Gasoline	3	UN1203	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are certain non-DOT specification cargo tank motor vehicles, commonly called airport refueller trucks, which were originally manufactured, designed and certified to a DOT cargo tank motor vehicle specification. The subject cargo tanks have not been maintained in accordance with the HMR.

b. TESTING - Each cargo tank must be given an external visual inspection prior to being transported to ensure that it is free of leaks and damage.

c. OPERATIONAL CONTROLS -

(1) Each cargo tank transported under this exemption may not contain more than 5 gallons of liquid.

(2) Transportation is authorized only between airports or between an airport and a repair facility.

8. SPECIAL PROVISIONS:

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

b. Each cargo tank motor vehicle specification plate must be covered or removed.

c. Each cargo tank motor vehicle must be plainly marked on both sides near the middle in letters at least two inches in height on a contrasting background "DOT-E 12917."

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:

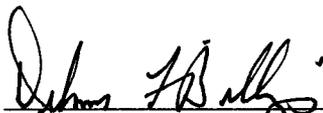
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required 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(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



*bm*  
Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

JUN 28 2004

(DATE)

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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: sln