



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

APR 23 2004

DOT-E 13327

EXPIRATION DATE: March 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Hawk Corp.  
Ardmore, OK
  
2. PURPOSE AND LIMITATIONS:
  - a. This exemption authorizes the manufacture, marking, sale, and use of manhole assemblies constructed from glass fiber reinforced plastics (GFRP) for installation on certain DOT specification cargo tank motor vehicles. The GFRP manhole assemblies conform with all the manhole assembly requirements specified in § 178.345-5 and the applicable cargo tank motor vehicle specification, 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 § 178.345-1 in that the GFRP manhole assemblies are not manufactured in accordance with the ASME Code; § 180.413 in that the use of GFRP manhole assemblies to replace the existing manhole assemblies on certain DOT specification cargo tank motor vehicles is not considered to be a modification; and § 172.203(a) in that it is not required to mark the exemption number in shipping papers.

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5. BASIS: This exemption is based on the application of Hawk Corp. dated October 21, 2003, and additional information dated March 4, 2004, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Class 8 materials authorized to be transported in a lined MC-312 or DOT 412 cargo tank motor vehicle, Class 8 liquid and semi-solid waste materials/specific chemical name or generic description as appropriate.	8	Various	I, II or III
Class 3 liquid and semi-solid waste materials/specific chemical name or generic description as appropriate.	3	Various	I, II or III
Division 6.1 liquid and semi-solid waste materials/specific chemical name or generic description as appropriate.	6.1	Various	I, II or III
Class 9 liquid and semi-solid waste materials/specific chemical name or generic description as appropriate.	9	Various	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are specification MC 307, MC 312, DOT 407 or DOT 412 cargo tank motor vehicles, with glass fiber reinforced plastics (GFRP) manhole assemblies. The GFRP manhole assemblies conform with all the manhole assembly requirements specified in § 178.345-5 and the applicable cargo tank motor vehicle specification.

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(1) The GFRP assemblies are authorized for installation on MC 307, MC 312, DOT 407 or DOT 412 cargo tank motor vehicles, either as installations on new tanks or as replacements of steel manhole assemblies on existing tanks.

(2) When a GFRP manhole is installed as a replacement on an existing MC 307, MC 312, DOT 407 or DOT 412 cargo tank, no cutting or welding on the tank shell, heads or manhole nozzle flange is permitted. The new GFRP manhole cover or assembly must bolt directly to the original manhole flange.

(3) The GFRP manhole assemblies conform to the design criteria in the exemption application and following Hawk Corp. drawings on file with the Office of Hazardous Materials Exemptions and Approvals:

Drawing Number	Date	Title
001-T	11-23-02	20" Flange FRP Manway
004-T	7-30-00	10" and 20" FRP Manway
005-T	7-30-00	10" and 20" FRP Manway

b. TESTING -

(1) Following the installation of a GFRP manhole assembly on a MC 307, MC 312, DOT 407 or DOT 412 cargo tank motor vehicle, each cargo tank must be hydrostatically pressure tested in accordance with the requirements specified in §§ 180.407(g)(1)(viii) and 180.407(g)(6).

(2) The pressure test must be performed by a person meeting the qualifications specified in § 180.409.

c. OPERATIONAL CONTROLS -

(1) The use of GFRP manhole assemblies must be approved by a Design Certifying Engineer (DCE).

(2) The owner of a DOT specification cargo tank motor vehicle must retain the DCE approval for the use of GFRP manhole assemblies as part of the records specified in § 180.417.

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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 and it is offered for transportation in conformance with this exemption and the HMR.

c. Each GFRP manhole assembly must be plainly and durably marked "DOT-E 13327" on a plate attached to the dome cover. Additionally, the marking requirement specified in § 172.203(a) is waived.

d. Each manhole assembly 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 manhole assembly 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.

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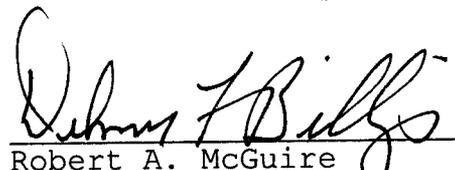
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

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

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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.

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