JUL 1 - 1996

U.S. Department of Transportation
Research and Special Programs Administration

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

DOT-E 11709

EXPIRATION DATE: August 31, 1996

(FOR RENEWAL, SEE 49 CFR SECTION 107.105)

1. GRANTEE: Eurotainer USA
Somerset, New Jersey

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of six DOT Specification IM 101 portable tanks containing approximately 100 gallons of a Division 6.1, PG I (Hazard Zone B) material. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 172.102(c)(7)(ii) Special Provision T38.

5. BASIS: This exemption is based on the application of Eurotainer USA dated May 29 1996, and additional information dated June 4, and June 5, 1996, submitted in accordance with 49 CFR 107.113 and a determination that it is necessary to prevent or minimize a serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Idenifi-cation Number	Packing Group
Toxic liquids, flammable, organic, n.o.s.	6.1	UN2929	I, Hazard Zone B

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are six (6) insulated DOT Specification IM 101 portable tanks having insulation systems not meeting the requirements of 49 CFR 172.102(c)(7)(ii) Special Provision T38. Tanks bear the following manufacturers serial numbers: SECS 467 692, SECS 467 042, SECS 467 048, SECS 467 057, SECS 467 875 and SECS 467 974.

8. SPECIAL PROVISIONS:

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

c. MARKING - Each portable tank must be plainly marked on both sides near the middle, in letters and numbers at least two inches high on a contrasting background, "DOT-E 11709".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. A copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

b. When transported by motor vehicle, each portable tank must be secured to the motor vehicle in conformance with the requirements of 49 CFR 393.100 through 393.106 and rear end protection for the motor vehicle must meet the requirements of 49 CFR 178.345-8(d) and 393.86.

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. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- o Registration required by 49 CFR 107.601 et seq., when applicable.

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. (49 CFR 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 incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

7/1/76
(DATE)

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

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.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Dist: FHWA
PO: CHH