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

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

JUL 7 2003

DOT-E 7046
(TENTH REVISION)

EXPIRATION DATE: June 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Mallinckrodt Baker, Inc.
Phillipsburg, NJ

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the use of glass lined cargo tanks conforming to DOT Specification MC-312, except for the tank joining requirements, for certain Class 8 and Division 5.1 materials. 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), 173.243(b), and § 178.340-5 (90 edition 10/1/90).

5. BASIS: This exemption is based on the application of Mallinckrodt Baker, Inc., dated June 23, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Proper Shipping Name/ Hazardous Materials Description | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Acetic acid, glacial *(with more than 80% acid by mass)* | 8 | UN2789 | II |
| Hydrochloric acid | 8 | UN1789 | II |
| Nitric acid, *other than red fuming, with not more than 70% nitric acid* | 8 | UN2031 | II |
| Perchloric acid *with more than 50% but not more than 72% acid, by mass* | 5.1 | UN1873 | I |
| Sulfuric acid *with more than 51% acid* | 8 | UN1830 | II |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are two glass lined cargo tanks, specifically identified by National Board Nos. 26567 and 31963, having a capacity of 2,000 gallons each and conforming to DOT Specification MC-312, except § 178.340-5. Tanks must comply with Lubbock Manufacturing Company and the Pfaudler Company drawings on file with the Office of Hazardous Materials Exemptions and Approvals.

b. Each cargo tank must be reinspected and retested as prescribed for DOT Specification MC-312 cargo tanks. Pneumatic retesting at one and one-half times the design pressure is authorized in place of the required hydrostatic test.

c. Each cargo tank must be completely free from organic or combustible materials when perchloric acid is loaded therein.

d. Transportation of perchloric acid under authority of this exemption is restricted to movements via highway between Columbus, Ohio and Phillipsburg, New Jersey; and between Columbus, Ohio and Hayward, California.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who 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 reoffered for transportation in conformance with this exemption and the HMR.

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

c. MARKING - Each cargo tank must be plainly marked on both sides near the front, in letters at least two inches high on a contrasting background, "DOT-E 7046".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel and 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:

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

Ann Mazzullo

JUL 7 2003
(DATE)

Robert A. McGuire
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.

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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