

PART 3 HAZARDOUS MATERIALS

3A. Hazardous Materials to be shipped:

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Pesticides, liquid, toxic, flammable, n.o.s., flash point not less than 23 degrees C	6.1	UN2903	II

3B. Is the hazardous material capable of being detonated? **NO**
(If No - go to 3C)

3C. Other risks presented by the material that warrant special assessment. **NONE**

PART 4 PACKAGING

4A. Is the applicant seeking an exemption from the packaging requirements? **YES**

4B. Non authorized specification package.
 Over authorized pressure.
 Non specification package. Most comparable spec. package. MC 330 cargo tank

4C. What are the possible failure modes of the packaging?
Same as for MC 330 cargo tank

Is the material of construction appropriate? **YES**

Will the packaging integrity be sufficient? **YES**

In the case of a pressurized packaging, will the package adequately contain any pressure that might develop? **YES**

Does packaging meet the performance requirements for air transportation? **YES**

Have evaluation of tests results shown the package to be equivalent? **YES**

4D. Are special handling measures needed? **NO**

PART 5 SPECIAL TRANSPORT AND INFORMATIONAL CONTROLS

5A. Is the applicant seeking an exemption from Special Transport and Informational Controls? **YES**

5B. Indicate control from which variance is sought. **Marking and placarding on one end of the tank.**

5C. What controls have been offered or might be appropriate to mitigate risks otherwise presented with the exemption? **Tank size is small.**

5D. What special data collection and reporting requirements are needed to document experience and exemption performance? **None.**

PART 6 SHIPPING EXPERIENCE

6A. What has the generally shipping experience been with this type of material, package, and operation? **Satisfactory**

6B. Can any rough estimate be made on the extent of the use of this exemption? **Transportation is limited to rural areas within 150 miles of a farm or pesticide distributor.**

6C. Is this a new package with no shipping experience? **No.**

PART 7 SAFETY AND RISK ASSESSMENT

7A. 49 CFR § 107.105(d) prescribes requirements for justification of an exemption through comparisons with established levels of safety and risk assessment. Has the applicant demonstrated equivalent levels of safety or provided an appropriate risk analysis? **YES**

7B. What are the hazards (worst case) posed by the proposed exemptions? **Same as for MC 330 cargo tank**

- 7C. What are the benefits to the public and the applicant of granting the exemption? **No trade-offs have been made. This exemption provides for the safe and efficient transportation of hazardous pesticides needed in farming.**
- 7D. Does this exemption (and other similar exemptions) point to the need for possible regulatory changes? **NO**

PART 8 DOCKET COMMENTS/INFORMATION

- 8A. Date checked: April 1, 2003
- 8B. Comments: NONE
- 8C. Has **CONFIDENTIAL** or **PROPRIETARY** information (49 CFR 107.5) been considered in this application? **NO**

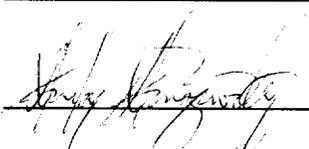
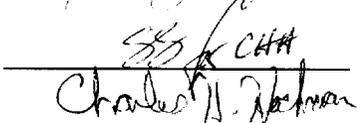
PART 9 OVERALL EVALUATION & RECOMMENDATION

Provide standard of equivalency and rationale supporting equivalent level of safety or comment on additional requirements needed to establish equivalency. Include main issues, evidence (i.e. tests), and technical conclusions. See note in Part VI concerning confidential information.

Applicant seeks authority to transport liquid pesticides to farms in non-DOT specification tanks, of the type commonly used for ammonia, called nurse tanks. Tanks are ASME Code vessels, certified and U stamped. Tanks are no bigger than 2000 gallons and have a minimum design pressure of 250 psig. Pressure in transportation will be less than 20 psig. This exemption is similar to DOT-E 13113 except that the nurse tanks now being authorized are much stronger and smaller than those authorized under E 13113.

Approval of this application is recommended.

Office of Hazardous Materials Technology (OHMT)

Office DHM-22		
Project Officer	<u>P. T. Olson</u>	Date <u>April 1, 2003</u>
Team Leader		Date <u>4/3/03</u> 
Office Director	 Charles H. Nelson	Date <u>4/3/03</u> <u>4/4/2003</u>