U.S. Department
of Transportation

**Pipeline and
Hazardous
Materials Safety
Administration**

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

JUN 28 2005

DOT-E 3004
(EIGHTH REVISION)

EXPIRATION DATE: January 31, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: U. S. Department of Defense (DOD)
Fort Eustis, Virginia

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain 2.1 and 2.2 material in a non-DOT specification cylinder. 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 §§ 173.302a and 175.3 in that non-DOT specification cylinders are not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Department of Defense dated May 31, 2005, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101): JUN 28 2005

| Hazardous Materials Description | | | |
|---|---|---|---|
| **Proper Shipping Name** | **Hazard Class/ Division** | **Identi-fication Number** | **Packing Group** |
| Argon, compressed | 2.2 | UN1006 | N/A |
| Hydrogen, compressed | 2.1 | UN1049 | N/A |
| Nitrogen, compressed | 2.2 | UN1066 | N/A |
| Oxygen, compressed | 2.2 | UN1072 | N/A |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are non-DOT specification sampling cylinders having a capacity not exceeding 373 cubic inches fabricated in compliance with details included in International Control Corporation drawings 250150 and 250185 or Cosmodyne Corporation drawings 2700205, 2700506, 2700509, 2700211, 2700215, 2700305, 2700306. Each sampling cylinder must be equipped with a frangible disc safety device as detailed on Fike Metal Products Corporation drawing A-1140 or on Cosmodyne Corporation drawing 2600054 on file with the Office of Hazardous Materials Exemptions and Approvals(OHMEA). Cylinders must be capable of withstanding a pressure of 5,000 pounds per square inch without bursting and may be charged with argon, hydrogen, nitrogen, or oxygen, to a pressure not exceeding 500 pounds per square inch. The burst pressure of the frangible disc safety device must not exceed 660 pounds per square inch.

b. OPERATIONAL CONTROLS - The sampling cylinders must be packed in formed fiberglass cases, cushioned with resilient packing material in strong outside boxes such as, but not limited to, wood, fiberboard, plastic or aluminum.

JUN 2 8 2005

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 modifications or changes are made to the package 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. Transportation of Division 2.1(flammable gases) are not authorized aboard aircraft unless specifically authorized in the Hazardous Materials Table(§ 172.101).

d. Transportation of oxygen by aircraft is only authorized when in accordance with § 172.102(c)(2) Special Provision A52 and §§ 175.85(h) and (i).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo aircraft only, and passenger-carrying aircraft (see paragraphs 8(c) and (d) for restriction).

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each aircraft used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

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.
- 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.
- 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: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.

JUN 28 2005
DATE

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-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: KFW/AM

JUN 28 2005

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

| Company Name City/State | Application Date | Issue Date | Expiration Date |
|---|---|---|---|
| Aeriform Corporation Houston, TX | Feb 28, 2005 | Mar 29, 2005 | Jan 31, 2007 |
| Air Liquide America L.P. Houston, TX | Mar 28, 2005 | May 3, 2005 | Jan 31, 2007 |
| Air Products and Chemicals, Inc. Allentown, PA | Feb 11, 2005 | Mar 1, 2005 | Jan 31, 2007 |
| BOC Gases Murray Hill, NJ | Mar 11, 2005 | Mar 29, 2005 | Jan 31, 2007 |
| National Welders Supply Company, Inc. Charlotte, NC | Apr 8, 2005 | May 3, 2005 | Jan 31, 2007 |
| Praxair Distribution, Inc. Danbury, CT | Apr 1, 2005 | May 3, 2005 | Jan 31, 2007 |
| Praxair Inc. Danbury, CT | Apr 1, 2005 | May 3, 2005 | Jan 31, 2007 |
| Praxair Puerto Rico, B.V. Gurabo, PR | Mar 1, 2005 | Mar 29, 2005 | Jan 31, 2007 |

Robert A. McGuire
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Hazardous Materials Safety