U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 1 3 2003

DOT-E 13180
(SECOND REVISION)

EXPIRATION DATE: January 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Members of the Association of Hazmat Shippers, Washington, DC identified in Appendix A

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of small aerosols containing a Division 2.2 gas and no other hazardous material as unregulated except as specified herein. 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 171-180 in that an aerosol having a capacity not exceeding 50 ml may be shipped as unregulated when meeting the conditions prescribed herein.

5. BASIS: This exemption is based on the application of The Association of Hazmat Shippers dated November 27, 2002, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
No DOT Shipping name required (Aerosols, non-flammable, each not exceeding 50 ml capacity)	N/A	N/A	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-refillable inner receptacle containing no hazardous materials other than a Division 2.2 gas, the sole purpose of which is to expel a non-hazardous material.

(1) Each inner receptacle must have a capacity not exceeding 50 ml.

(2) Each inner receptacle must be fitted with a self-closing release device allowing the contents to be ejected by the gas.

(3) The pressure of each container may not exceed 970 kPa (141 psig)at 55°C (131°F).

(4) Each inner receptacle must be transported in a strong outside container.

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. The shipping paper and marking requirements of §§ 172.203(a) and 172.301 (c) are waived.

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

10. MODAL REQUIREMENTS: None as a requirement of 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 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 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.:

R. Ben Pitt

FR Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

JUN 13 2003
(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.

PO: DL

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AS OF NOV. 27, 2002

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