U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JAN 19 2005

DOT-E 10840
(FIFTH REVISION)

EXPIRATION DATE: December 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Kuehne Chemical Company, Inc.
South Kearny, NJ

2. PURPOSE AND LIMITATIONS:

a. This exemption authorizes the manufacture, mark, sale and use of a non-DOT specification full opening head, steel salvage cylinder for overpacking damaged or leaking sulfur dioxide cylinders. This exemption provides no relief from the Hazardous Materials Regulation (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 § 173.301(d) and § 173.304a(a)(2) in that a non-DOT specification cylinder is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Kuhne Chemical Company dated January 10, 2005, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Sulfur dioxide	2.3	UN1079	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification full opening head, steel salvage cylinder of welded construction, with provisions for securely positioning the damaged cylinder contained within. The salvage cylinder must conform with the Chlorine Institute's drawing 188 dated March 19, 1987, on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA) except that an o-ring constructed of EPDM is used. The salvage cylinder must be designed, constructed and stamped in accordance with Section VIII of the ASME Code for a working pressure of 250 psig at 300°F and as follows:

Volume.....31 gallon water capacity (nominal).
Material.....ASTM A 283, A 53 Gr. B, or equivalent carbon steel.
Outside diameter.....12 inches, nominal.
Length.....64 inches, nominal.
Sidewall thickness.....0.250 inch, nominal (.230 inch, min.)
Design Service pressure (MAWP).....250 psig at 70°F
Test pressure.....375 psig.
Openings - Sidewall.....3/4 inch threaded outlet inside a valve otective cap.
Openings - head.....Full opening head, hinged to cylinder sidewall.
Pressure relief devices.....None.
Welded attachments.....2-lifting rails 2-supports

b. TESTING - Each salvage cylinder must be cleaned and purged after each use and must be visually inspected (internally and externally) and hydrostatically retested once every 2 years at a test pressure of at least 375 psig. The visual inspections must be performed in accordance with the Compressed Gas Association's Pamphlet C-6. The retest and inspection must be made by an employee that is familiar with the salvage cylinder and is trained and experienced in the use of the inspection and testing equipment. Records of retest must be made available to a DOT representative upon request.

c. OPERATIONAL CONTROLS -

(1) Drivers and other persons who load/unload or transport these salvage cylinders must be trained in the handling and proper use of the cylinder. The loaded salvage cylinder must be delivered to the consignor or consignee as soon as practicable.

(2) Salvage cylinders are authorized for overpacking leaking 100 and 150 pound water capacity 3A480X or 3AA480X sulfur dioxide cylinders.

(3) Each salvage cylinder must be plainly and durably marked on the cylinder sidewall, 180 degrees apart, in letters at least 2 inches high on a contrasting background, "DOT-E 10840" and "SALVAGE CYLINDER".

(4) Each salvage cylinder must bear the appropriate hazard class labels as prescribed for sulfur dioxide.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

b. A person who is not a holder of this exemption, but 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 offered for transportation in conformance with this exemption and the HMR.

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

d. Each packaging manufactured under the authority of this exemption must be marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.

e. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

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

b. Each salvage cylinder must be secured to the motor vehicle by a securement system that conforms with the requirements contained in §§ 393.100 through 393.106.

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, 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 mustreceive 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.:

JAN 19 2005

(DATE)

for 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.

PO: KFW/sln