U.S. Department of Transportation

Research and Special Programs Administration

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

DEC 23 1992

DOT-E 10757
(FIRST REVISION)

1. BW/IP International Inc., Van Nuys, California, is hereby granted an exemption from certain provisions of this Departments's Hazardous Materials Regulations to manufacture, mark and sell the packaging described in paragraph 7 below for use in the transportation in commerce of the nonliquefied gas described in paragraph 3 below, subject to the requirements specified herein. This exemption authorizes the use of a non-DOT specification pressure vessel, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on BW/IP International Inc.'s application dated February 20, 1992, and additional information dated March 2, 1992, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon and supplemental letter dated June 25, 1992.

3. HAZARDOUS MATERIALS (Description and class). Helium, classed as nonflammable gas. NOTE: Effective October 1, 1993, the appropriate numeric hazard class or division description must be used in place of the written hazard class.

4. PROPER SHIPPING NAME (49 CFR 172.101). Helium.

5. REGULATION AFFECTED. 49 CFR 173.302(a)(4), 175.3, 178.65.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight, and cargo aircraft only.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a nonrefillable, non-DOT specification pressure vessel (container) conforming with BW/IP International Inc.'s drawings D48098 and D48001 dated March 3, 1992 and February 17, 1992 respectively, design calculations, and design qualification test results, on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). In addition packaging must conform with 49 CFR 178.65, DOT Specification 39 except as follows:

178.65-2 Type, size, service pressure and test pressure.

(a) * * *

(b) Maximum capacity is 120 cubic inches.

(c) Maximum service pressure is 8000 psig.

(d) Minimum test pressure is 10,000 psig.

(e) * * *

178.65-4 Duties of the inspector.

(a) The inspector must determine that all material used complies with the requirements of this exemption.

(b) * * *

(c) * * *

(1) Internal inspection is not required.

(2), (3), (4), (5) * * *

178.65-5 Material.

(a) Material is 16-6 PH CRES seamless steel tubing having a 3/16 inch outside diameter and a minimum thickness of 0.011 inch.

(b) N/A

(c) * * *

(d) * * *

178.65-9 Openings and Attachments.

(a) Openings and attachments not reducing structural integrity of finished containers are authorized.

(b) N/A

(c) N/A

(d) * * *

178.65-11 Pressure Tests.

(a) * * *

(b) One completed container from each lot must be tested as prescribed in 49 CFR 178.44-14(a), (b), and (c).

(c) A "Lot" is defined as the quantity of containers having identical size, design construction, material, finish and heat treatment, not to exceed 10 containers.

178.65-12 Flattening Test.

The flattening test is not required.

178.65-13 Rejected Cylinders.

N/A

178.65-14 Markings.

(b) * * *

(1) Each pressure vessel must be marked "DOT-E 10757" in lieu of DOT-39.

8. SPECIAL PROVISIONS.

a. Provisions of this exemption are limited to a quantity of six pressure vessels.

b. Offerors for transportation of hazardous materials specified in this exemption may use the packaging described in this exemption for the transportation of such hazardous materials so long as no modifications or changes are made to the packages, all terms of this exemption are complied with, and a copy of the current exemption is maintained at each facility from which such offering occurs.

c. Shippers using the packaging covered by this exemption must comply with the shipping paper, marking, labeling, and placarding requirements of 49 CFR Part 172, all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 100-180.

d. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated for a specific manufacturing facility.

e. A copy of this exemption, in its current status, must be maintained at each manufacturing facility at which this packaging is manufactured and must be made available to a DOT representative upon request.

f. Pressure vessel must be shipped in strong outside packagings in accordance with 49 CFR 173.301 (k).

g. A copy of this exemption must be carried aboard each aircraft used to transport packages covered by this exemption. In accordance with the provisions of 49 CFR Part 107, Appendix B to Subpart B, Paragraph 3, the shipper shall furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

9. REPORTING REQUIREMENTS. Any incident involving fire, explosion or loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.)

10. EXPIRATION DATE. April 30, 1994.

Issued at Washington, D.C.:

DEC 23 1992

(DATE)

Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

Address all inquiries to : Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C., 20590. Attention: Exemptions Program.

Dist: FAA, FHWA, FRA.