U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

APR 8 2003

DOT-E 13170
(SECOND REVISION)

EXPIRATION DATE: March 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Premier Industries
Fridley, MN

2. PURPOSE AND LIMITATIONS:

a. This exemption authorizes the manufacture, mark, sale and use of a welded non-DOT specification pressure vessel conforming with all regulations applicable to a DOT 3E Specification cylinder, except as specified herein, for the transportation in commerce of the materials authorized by this exemption. 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. The safety analysis did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not 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(a)(1) and 175.3 in that a non-DOT specification pressure vessel is not authorized except as specified herein.

5. BASIS: This exemption is based on the application of Premier Industries dated February 4, 2003, submitted in accordance with § 107.105 and the public proceeding thereon.

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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**
Air, compressed	2.2	UN 1002	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification pressure vessel assembly consisting of stainless steel tubing in a coil configuration. The tubing must not exceed 5/16 inch in diameter. Maximum internal volume is 72 cubic inches. Service pressure may not exceed 5,000 psig. The assembly must be fitted with a pressure relief device conforming with the documentation on file with Office of Hazardous Materials Exemptions and Approvals. The pressure vessel must conform with DOT Specification 3E (§§ 178.35 and 178.42) except as follows:

§ 178.35(c) Duties of Inspector.

Applies, except for the requirements to inspect inside before closing in both ends.

§ 178.35(g) Inspector's report.

Applies except that the portion of the report pertaining to the hydrostatic tests may be in the form of a statement rather than in table form, and "DOT-E 13170" must be substituted for each "DOT 3E" entry.

§ 178.42(a) Type, Size and service pressure.

(a) Must be 5/16 inch diameter welded and redrawn tubing that is coiled. Maximum volume is 72 cubic inches.

(b) Service pressure must not exceed 5,000 psig.

§ 178.42(b) Steel.

Material must be Type 304 stainless steel tubing with 85,000 psi minimum yield strength and 110,000 psi minimum tensile strength.

§ 178.42(f) Hydrostatic test.

(a) Does not apply. Instead:

(1) Each pressure vessel must be tested to a hydrostatic pressure of 7,500 psig for at least 1 minute and sufficiently longer to insure complete expansion.

(2) One finished pressure vessel out of each lot of 500 or less must be hydrostatically pressurized to destruction. Burst pressure must not be less than 14,000 psig.

§ 178.42(i) Marking.

(a) Marking must be stamped plainly and permanently on the pressure vessel as follows: (Marking may be on a permanently attached nameplate or label if stamping on the pressure vessel is not feasible):

(1) "DOT-E 13170-5000" in lieu of "DOT 3E-1800".

b. OPERATIONAL CONTROL - The assembly must be shipped in a strong outside packagings as required by § 173.301(a)(9).

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 modification or change is made to the package or its contents 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 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 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, rail freight, cargo aircraft only, and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each aircraft or motor vehicle used to transport packages covered by this exemption. The shipper must furnish a current 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, 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued in Washington, D.C.

APR 8 2003

(DATE)

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: SS/AM