U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUL 29 2004

DOT-E 11703
(SIXTH REVISION)

EXPIRATION DATE: June 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Kidde
Mebane, NC
(Former grantee: Walter Kidde Portable Equipment, Inc.)

2. PURPOSE AND LIMITATIONS:

a. This exemption authorizes the manufacture, marking and sale of DOT 39 Specification cylinders equipped with pressure relief device systems other than as prescribed by the Hazardous Materials Regulations, for the transportation in commerce of Chlorotetrafluoroethane and Heptafluoropropane. This exemption provides no relief from any regulation 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(f), and 173.304a(a)(2); 178.35(e) and 175.3, in that the prescribed packaging is not authorized except as specified herein.

5. BASIS: This exemption is based on the application of Kidde dated July 28, 2004, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description - - proper shipping name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
1-Chloro-1,2,2,2-tetrafluoroethane, *or Refrigerant gas* R 124	2.2	UN1021	N/A
Heptafluoropropane *or* Refrigerant gas R 227	2.2	UN3296	N/A

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT Specification 39 cylinders equipped with a pressure relief device system other than that specified in § 173.301(f). In lieu of a prescribed pressure relief device, cylinders are equipped with a sprinkler set to actuate at a temperature no greater than 188°F. The cylinders may not be liquid full at 130°F. The maximum charge pressure may not exceed that specified in § 180.205 and 180.209.

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 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.

f. Cylinders must be shipped in strong outside packaging in accordance with § 173.301(a)(9).

g. Cylinders manufactured prior to the issue date of this exemption in conformance with Walter Kidde Model numbers FW 75 FE241, FW 150 FE241, FW 200 FE241, FW 300 FE241, FW 425 FE241, FW 600 FE241, FW 750 FE241, FW 1100 FE241, FW 50 FM200, FW 100 FM200, FW 125 FM200, FW 200 FM200, FW 275 FM200, FW 400 FM200, FW 500 FM200, FW 750 FM200, or FW 950 FM200 are authorized for transportation.

h. MARKING - Each cylinder manufactured after the issue date of this exemption and each outside packaging must be marked "DOT-E 11703".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo-only aircraft and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each aircraft and cargo vessel used to transport the cylinders 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.

- 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 the 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.

JUL 29 2004

Robert A. McGuire
for Associate Administrator for
Hazardous Materials Safety

(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: sln