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

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

DOT-E 11163
(SECOND REVISION)

EXPIRATION DATE: February 29, 2000

(FOR RENEWAL, SEE 49 CFR SECTION 107.109.)

1. GRANTEE: Control Instruments Corporation, Fairfield, New Jersey.

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain DOT specification cylinders for the shipment of hydrogen by passenger carrying aircraft. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Sections 172.101 and 175.3.

5. BASIS. This exemption is based on Control Instruments Corporation's application dated January 19, 1998, submitted in accordance with 49 CFR 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
Hydrogen, compressed	Division 2.1	UN1049	N/A

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT-3E specification cylinder constructed of stainless steel and equipped with a one-way check valve. The maximum service pressure of the cylinder is 1800 psig; the maximum water capacity of the cylinder is 9.2 cubic inch. The cylinder is a component part of a Portable Hydrocarbon Monitoring System which is in conformance with drawings on file with the Office of Exemptions and Approvals. The monitoring system is transported in a strong carrying case.

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b. TESTING - The cylinder must be removed from the monitoring system and retested in conformance with the requirements for a DOT-3E specification cylinder.

c. MARKING -
(1) 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.

(2) The outside of each package must be plainly and durably marked "DOT-E 11163".

8. SPECIAL PROVISIONS.

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

c. Each device must be shipped in a strong outside packaging as prescribed in 49 CFR 173.301(k).

d. The monitoring system must be appropriately secured to prevent movement during transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Passenger carrying aircraft.

10. MODAL REQUIREMENTS:

a. A copy of this exemption must be carried aboard each aircraft used to transport packages covered by this exemption. The shipper shall furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

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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 CFR U.S.C. Sedtion 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by 49 CFR 107.106 et seq., when applicable.

Each "Hazmat employee", as defined in 49 CFR 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 49 CFR 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. (49 CFR 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 incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

Ann Mazzullo 3/20/98

for Alan I. Roberts (DATE)
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.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Dist: FAA