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

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

MAR 18 2002

DOT-E 11545
(FOURTH REVISION)

EXPIRATION DATE: February 29, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Bernzomatic, A NewellRubbermaid Company
Medina, New York

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of a Division 2.1 material which exceeds the maximum charging pressure authorized in DOT Specification 2Q inside containers which may have a capacity greater than that authorized. 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.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.304(a)(4)(ii) in that the maximum charging pressure and maximum capacity are exceeded; and § 178.33a-8.

5. BASIS: This exemption is based on the application of Bernzomatic dated February 27, 2002, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Petroleum gases, liquefied *or* Liquefied petroleum gas	2.1	UN1075	NA

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are three (3) designs of DOT Specification 2Q, nonrefillable inside containers having a water capacity not exceeding 32.3 cubic inches. The first design has a capacity of 22.2 cubic inches and conforms to Bernzomatic drawing TX82010-A on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). The second design has a capacity of 32.3 cubic inches and conforms to Bernzomatic drawing TX82000-A on file with OHMEA. The third design has a capacity of 23.3 cubic inches and conforms to Sexton Can Company drawing 992D0010 and product specification for part number AD48 on file with the OHMEA. All designs must be tested as follows:

(1) One container out of each lot of 1,000 containers or less successively produced each day must be pressure tested to determine the burst pressure. The containers must be complete with ends assembled. The end must reverse before any leakage or bursting. The minimum burst pressure may not be less than 270 psig.

(2) Each 1,000 containers or less successively produced in a day constitutes a lot. These containers must be complete with ends assembled, of the same material, size, design, construction and finish. If any of the test containers in a lot fail the pressure test, that lot must be rejected, or ten additional containers selected at random from the lot may be subjected to the pressure test. Should any of the ten test containers fail the test the entire lot must be rejected.

(3) Each completed container filled for shipment must have been heated until the pressure in the container is equivalent to the equilibrium pressure of the contents at 130°F without evidence of leakage, distortion, or other defect.

b. OPERATIONAL CONTROLS -

(1) Each container must be filled in accordance with the provisions of §§ 173.304(d)(1) and (d)(3) except that the maximum charging pressure may not exceed 55 psig at 70°F, or 125 psig at 130°F.

(2) Each container must be packed in a strong outside packaging. Each outside packaging must be marked "INSIDE CONTAINERS CONFORM WITH DOT-E 11545".

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who 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 reoffered for transportation in conformance with this exemption and the HMR.

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

c. Transportation of Division 2.1 (flammable gases)is not authorized aboard cargo aircraft unless specifically authorized in the Hazardous Materials Table (§ 172.101).

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

10. MODAL REQUIREMENTS: A current 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.

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, 49 CFR 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 inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

MAR 18 2002

For Robert A. McGuire
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: CWF/AM