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

AUG 29 '997

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

DOT-E 11701

EXPIRATION DATE: **July 31, 1999**

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Department of Defense
Washington, DC

2. PURPOSE AND LIMITATION: This exemption authorizes extended retest periods and service life limits for DOT specification and exemption cylinders used in the PATRIOT Missile Weapon System for the transportation in commerce of helium. This exemption provides no relief from any regulation other than as specifically stated herein.

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

4. REGULATIONS FROM WHICH EXEMPTED: The Table in 49 CFR 173.34(e) and 173.34(e)(15)(ii)(C) in that extended retest and service life limits are authorized.

5. BASIS: This exemption is based on the application of the Department of Defense (DOD) dated May 2, 1996, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Helium, compressed	2.2	UN1046	N/A

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT Specification 3HT cylinders and non-DOT specification cylinders as prescribed in exemptions DOT-E 8962 and DOT-E 9221. Prescribed cylinders are used in the PATRIOT Missile Weapon System.

b. TESTING - Each cylinder authorized by this exemption must be reinspected and hydrostatically retested every 15 years in accordance with 49 CFR 173.34(e) as prescribed for DOT-3HT cylinders except that the rejection elastic expansion does not apply.

c. OPERATIONAL CONTROLS -

(1) The service life of cylinders authorized by this exemption may not exceed 30 years.

(2) Cylinders authorized by this exemption may have no more that 10 pressurizations.

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. MARKING - Each outside packaging must be plainly and durably marked "DOT-E 11701" in addition to other required markings.

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

10. MODAL REQUIREMENTS: 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.

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. Section 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 107.601 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 incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

AUG 29 1997

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

AUG 29 1997

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: FRA, FAA
PO: CWF