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

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

DOT-E 11971
(THIRD REVISION)

APR 5 2002

EXPIRATION DATE: February 29, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Members of the Regional Airline Association of America (RAA)
Washington, D.C.

(See Appendix A to this exemption for a list of member carriers)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes an alternative maintenance/inspection program instead of that required in § 173.34(e) for certain DOT specification and non-DOT specification cylinders used as components in aircraft fire suppressant systems, and authorizes the transportation in commerce of the subject cylinders maintained and inspected in accordance with this exemption. 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 § 173.34(e) in that an alternative maintenance/inspection program is authorized.

5. BASIS: This exemption is based on the application of the Regional Airline Association of America (RAA) dated March 8, 2002, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Bromotrifluoromethane or Refrigerant gas, R 13B1	2.2	UN1009	N/A

7. SAFETY CONTROL MEASURES:

PACKAGING -Packaging prescribed is a DOT 4DA or 4DS Specification cylinder, or a cylinder manufactured in accordance with DOT Exemption E-5861, E-6071, E-7026, E-7945, or E-8495 that is fabricated from a stainless steel or Nitronic 40 alloy and is subjected to the alternate maintenance program described herein. This alternate maintenance program is authorized instead of the retest requirements prescribed in § 173.34(e).

(a) The cylinders covered under this exemption are used exclusively in fire suppressant systems for engines, cargo bays or in auxiliary power units (APU) in transport category airplanes operated and maintained by the RAA members listed in Appendix A to this exemption.

(b) Each charged cylinder is hermetically sealed and installed as a part of a specific design type installation by the original airframe manufacturer, or in accordance with an installation procedure approved by FAA.

(c) Each cylinder must be identified by its part and serial number, and the DOT specification or applicable exemption number under which that cylinder is manufactured.

(d) Periodic maintenance/inspection program:

(1) Each RAA member covered by this exemption must establish a written periodic maintenance/ inspection program specifically for the cylinders covered by this exemption which must comply with the airframe and cylinder manufacturer's recommended maintenance/inspection programs. The periodic maintenance/inspection program must be a

supplementary part to the FAA certificate holder's manual required to be prepared and maintained per 14 CFR Subpart L, § 121.369. A copy of the maintenance/inspection program must be on file with RAA.

(2) Each cylinder must be periodically inspected to ensure that the required internal pressure and weight of contents is maintained, and that the valves, safety relief devices, mounting brackets, and associated instrumentation are secure and acceptable for continued safe service.

(3) Any cylinder removed from an aircraft for any reason must be inspected to determine that the required internal pressure and weight of contents is within acceptable limits and that there is no visual evidence of degradation of the cylinder or attached appurtenances. Cylinders showing degradation or loss of contents must be retested and requalified as prescribed in § 173.34(e).

(4) Cylinders discharged for any reason must be retested as prescribed in § 173.34(e).

(5) Cylinders may remain in service without the required periodic retesting, reinspection and marking as prescribed in §§ 173.34(e), provided that they meet the criteria contained in paragraphs 7.d.(1), 7.d.(2) and 7.d.(3) of this exemption and are not discharged for any reason.

(6) Each RAA member covered by this exemption must institute a monitoring program to routinely collect information pertaining to discrepancies, and action taken on each cylinder under the maintenance/inspection program as well as detailed information on all cylinders in the population which must be retested as required by § 173.34(e). The data must be entered on the "High Pressure Cylinder Maintenance Data Sheet" attached as Appendix B to this exemption.

8. SPECIAL PROVISIONS:

a. Packages covered by this exemption, which are removed from aircraft, may be offered for transportation for repair, reconditioning, retest, or maintenance. Persons who may use this provision are the RAA members listed in Appendix A, and a DOT approved repair, retest or refill facility.

b. 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.

c. MARKING - Each cylinder covered by this exemption must be plainly and durably marked "DOT-E 11971" in proximity to existing DOT markings.

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 maintained as a part of the maintenance/inspection and retest records by each RAA member covered by this exemption.

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 the exemption has expired or is otherwise no longer in effect.

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12. REPORTING REQUIREMENTS:

a. At least once a year, each RAA member covered by this exemption must submit a report of the information collected as required in paragraph 7 to RAA. A hard copy of the same must be made available to a designated DOT official upon request.

b. In addition to any FAA requirement, each operator covered under this exemption is required to report to RAA, who in turn is required to report to the AAHMS as soon as practicable, when any incident involving loss of packaging contents or packaging failure occurs. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, each operator must report to RAA, who in turn 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.:

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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: CWFreeman/sln