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

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

DOT-E 12299
(THIRD REVISION)

OCT 6 2003

EXPIRATION DATE: September 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Minnesota School of Diving, Inc.
Brainerd, MN

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of DOT specification cylinders containing a Division 2.2 material in quantities which exceed the gross weight limitations for passenger-carrying motor vehicles. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 177.870(e) in that the quantity of hazardous material on a passenger-carrying vehicle exceeds a gross weight of 45 kg (99 lbs)of a given hazard class.

5. BASIS: This exemption is based on the application of the Minnesota School of Diving, Inc. dated October 3, 2003 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**
Air, compressed	2.2	UN1002	n/a

7. SAFETY CONTROL MEASURES: OCT 6 2003

a. PACKAGING - Packagings prescribed are approximately 45 DOT specification 3AA or 3AL cylinders containing compressed air for scuba-use only. Each charged cylinder has a gross weight of approximately 35 pounds.

b. The valves on each cylinder must be equipped with a burst disc that will safely release the air pressure from the tank, preventing the possibility of a cylinder rupturing from any heat build-up.

c. The cylinders may be fully charged enroute to a diving location. The cylinders transported during the return trip from the original destination may not be charged in excess of 500 psig.

d. The cylinders will be transported in specially designed racks, fitted in the luggage compartment on the passenger motor vehicle (bus), conforming to the drawing submitted with Minnesota School of Diving's application for exemption. The cylinders will be loaded in a horizontal position and must be securely braced to prevent movement and ejection from the racks during transportation.

8. SPECIAL PROVISIONS: A current copy of this exemption must be maintained at each facility where the package is offered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard the motor vehicle used to transport packages 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 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.:

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

OCT 6 2003
(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