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

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

JAN 3 2001

DOT-E 12582
(FIRST REVISION)

EXPIRATION DATE: December 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Michigan State Police
East Lansing, MI

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain non-DOT specification cylinders containing oxygen which are part of a self-contained breathing apparatus in the passenger compartment of passenger-carrying aircraft. 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. The safety analyses did not consider the hazards and risks associated with uses not associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: The shipping paper and marking requirements in 49 CFR Part 172, Subparts C and D; the marking requirements in §§ 173.25(a)(2) and (a)(4); and § 175.85 in that a self-contained breathing apparatus (SCBA) is authorized in the passenger compartment of passenger-carrying aircraft for use in a medical emergency.

5. BASIS: This exemption is based on the application of Michigan State Police dated November 14, 2000, and additional information dated November 20, 2000, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Oxygen, compressed	2.2	UN1072	N/A

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a non-DOT specification steel cylinder manufactured in accordance with Nippon Tansan Gas Co., Ltd. drawing CL-50031-1 Rev.2, dated July 15, 1991, on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). The cylinder, which is part of an SCBA, meets the following requirements:

(1) Maximum water capacity is 98 cc (5.18 in^3)
(2) Maximum service pressure is 3000 psi
(3) Minimum burst pressure is 8100 psi
(4) Minimum wall thickness is 0.080"

b. OPERATIONAL CONTROLS -

(1) The cylinder must have a pressure relief device (rupture disk) set at 5000 psig.

(2) The oxygen cylinder must be contained in sealed multi-laminate pouch and placed within a fire resistant container. Additionally, a copy of this exemption must be carried inside the fire resistant container.

(3) The cylinder may not be refilled.

(4) The cylinder is only authorized for transportation as part of an SCBA.

8. SPECIAL PROVISIONS: The requirements of 49 CFR Part 172, Subpart C and D pertaining to exemption markings on the package and shipping papers and the shipping paper requirements, respectively, are waived.

The outside of each SCBA does not have to be marked as prescribed by §§ 173.25(a)(2) and (a)(4).

9. MODES OF TRANSPORTATION AUTHORIZED: Passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each passenger-carrying aircraft used to transport packages covered by this exemption. The air carrier must be notified of the use of this exemption before or at the time of the transport of the package.

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.

JAN 3 2001

Issued in Washington, D.C.:

JAN 3 2001

(DATE)

Robert A. McGuire
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.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: MT/AM