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

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

MAR 2 2 2001

DOT-E 12631

EXPIRATION DATE: February 28, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Precision Medical
Northampton, PA

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of a certain non-DOT specification, insulated cylinder conforming with all regulations applicable to a DOT specification 4L cylinder except as specified herein, to be used for the shipment of oxygen, refrigerated liquid. 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 consumer use, use as a component of another 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 § 173.316(c) in that a non-DOT specification cylinder is not authorized except as specified herein.

MAR 2 2 2001

5. BASIS: This exemption is based on the application of Precision Medical dated January 10, 2001 and additional information dated February 26 and March 7, 2001 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, refrigerated liquid	2.2	UN1073	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING -Packaging prescribed is a vacuum insulated non-DOT specification container conforming with Precision Medical drawing number 503847 dated February 23, 2001 on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA) and with the requirements for DOT Specification 4L cylinders (§§ 178.35 and 178.57) except as follows:

§ 178.35(f) *Markings.*

(1) Each cylinder must be marked with the following information:

(i) "DOT-E 12631" in lieu of "DOT 4L", followed immediately by the service pressure in psig.

* * *

§ 178.57(d) *Manufacture.*

(1) * * *

(2) The inner vessel bottom head is convex to internal pressure. * * *

MAR 2 2 2001

(3) * * * Applies except the construction must be such that the total heat transfer, from the atmosphere at ambient temperature to the contents of the cylinder must not exceed 0.0046 Btu per hour, per Fahrenheit degree differential in temperature, per pound of water capacity of the cylinder.

* * *

b. TESTING - Periodic retesting is not required.

8. SPECIAL PROVISIONS:

a. Precision Medical must submit results of tests performed in accordance with § 178.57 for the first lot of each container design produced under this exemption. Test results must be on file with the OHMEA before the initial shipment.

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 change are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

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

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

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel 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.:

MAR 2 2 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: CWFreeman