U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

SEP 28 2004

DOT-E 13596
(SECOND REVISION)

EXPIRATION DATE: August 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Honeywell International, Inc.
Minneapolis, MN

(See Appendix A of this exemption for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain non-flammable gases in a non-DOT specification cylinder meeting all requirements of a DOT Specification 3E cylinder except that the cylinder is not equipped with a pressure relief device. 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 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 §§ 173.301(f)(5) and 178.35(e) in that the non-DOT specification cylinder is over 12 inches in length and does not have a pressure relief device.

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5. BASIS: This exemption is based on the application of Honeywell International, Inc. dated August 9, 2004, submitted in accordance with § 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
Neon, compressed	2.2	UN1065	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are stainless steel non-DOT specification cylinders meeting all requirements of a DOT Specification 3E cylinder (§ 178.42). Cylinders are 2 inches in outer diameter and 14.5 inches in length. Cylinders are not equipped with pressure relief devices.

b. TESTING - There is no requirement to periodically retest the cylinder.

c. OPERATIONAL CONTROLS -

(1) The cylinders must be charged to no more than 1,000 psig.

(2) The cylinder must be shipped in an aluminum case with foam inserts that at least meets the requirements of § 173.301(a)(9). There must be no more than four cylinders shipped in each case.

(3) The cylinders must be used in Department of Defense Joint Direct Attack Munitions (JDAM) tail kit assemblies.

(4) Emergency response information provided with the shipment and available via an emergency response telephone number must indicate that the cylinders are not fitted with pressure relief devices and provide appropriate guidance in case cylinders are exposed to fire.

8. SPECIAL PROVISIONS:

a. 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 modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this exemption and the HMR.

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

c. MARKING -

(1) Each cylinder must be plainly and durably marked "DOT-E 13596".

(2) The outside of each package must be marked "INSIDE PACKAGING COMPLIES WITH DOT-E 13596".

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

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each aircraft or motor vehicle used to transport packages covered by this exemption. The shipper must 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. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

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- Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

- 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.:

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Robert A. McGuire
for 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: BMoore/CWFreeman

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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Aldrich Chemical Company Miamisburg, OH	Sep 21, 2004	SEP 28 2004	Aug 31, 2006
Spectra Gases Branchburg, NJ	Sep 22, 2004	SEP 28 2004	Aug 31, 2006

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety