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

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

MAY 27 2003

DOT-E 9441
(FOURTH REVISION)

EXPIRATION DATE: April 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: AMTROL, Inc.
West Warwick, Rhode Island

2. PURPOSE AND LIMITATIONS:

a. This exemption authorizes the manufacture, marking, sale and use of a non-DOT specification steel water pump system tank with an outside diameter not exceeding 26 inches, containing the hazardous materials described in paragraph 6 below. 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.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Part 172, Subparts D and E, and § 173.306(g)(1).

5. BASIS: This exemption is based on the application of Amtrol, Inc. dated May 6, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Material Description | | | |
|---|---|---|---|
| Proper Shipping Name | Hazard Class/ Division | Identi-fication Number | Packing Group |
| Air, compressed | 2.2 | UN1002 | N/A |
| Nitrogen, compressed | 2.2 | UN1066 | N/A |

7. SAFETY CONTROL MEASURES: Packaging prescribed is a water pump system tank conforming with AMTROL, Inc. drawings C-150-2 Rev. B, D-150-1 Rev. A, and D-151-1 Rev. A; and § 173.306(g) except that the maximum outside diameter is 26 inches instead of 24. Drawings must be on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA) prior to initial shipment.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption, but 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 offered 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. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.

d. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.

e. MARKING - Packages are exempt from marking and labeling requirements except that the name of contents must be marked on the outside packaging. In addition, the marking requirements of § 172.301(c) must be met.

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

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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued in Washington, D.C.

Ann Mazzullo

Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

MAY 27 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