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

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

FEB 14 2003

DOT-E 10297
(FOURTH REVISION)

EXPIRATION DATE: January 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Tropigas De Puerto Rico, Inc.
Caguas, Puerto Rico

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the rebuilding and selling of DOT Specification 4B, 4BA, and 4BW cylinders for use in the transportation of the hazardous materials authorized 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. 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 Part 172, Subparts C and D in that marking the shipping papers and the packagings with the exemption number is waived; and § 180.211.

5. BASIS: This exemption is based on the application of Tropigas De Puerto Rico, Inc. dated January 13, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Proper Shipping Name/ Hazardous Materials Description | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Compressed gases, flammable liquids, corrosives, and other hazardous materials authorized for shipment in DOT 4B, 4BA, and 4BW cylinders per 49 CFR Part 173. | As appro-priate | As appro-priate | As appro-priate |

7. SAFETY CONTROL MEASURES: This exemption authorizes the rebuilding and selling of low-pressure, DOT Specification 4B, 4BA and 4BW, steel cylinders in accordance with the following:

a. Only cylinders originally manufactured to a DOT Specification 4B, 4BA and 4BW may be rebuilt and represented as DOT 4B, 4BA or 4BW cylinders, respectively.

b. A rebuilding work must be performed in accordance with the approved Procedures Manual on file in the Office of Hazardous Materials Exemptions and Approvals (OHMEA) and § 180.211.

c. The rebuilder must be considered a manufacturer subject to the requirements of § 178.2(a) and Subpart C of Part 178.

d. After removal of a non-pressure component and before replacement of any non-pressure component, the cylinder must be visually inspected in accordance with the requirements of CGA Pamphlet C-6. Rejected cylinders must be repaired and rebuilt as prescribed in the HMR, or condemned.

e. Rebuilding of any cylinder involving a joint subject to internal pressure may only be performed by fusion welding. The rebuilder may rebuild a DOT 4B, 4BA or 4BW cylinder having a water capacity of 20 pounds or greater by replacing a head of the cylinder using a circumferential joint. When this weld joint is located at other than an original welded joint, a notation of this modification must be shown on the Manufacturer's Report of Rebuilding (see Appendix A). Weld joint must be on the cylindrical section of the cylinder.

f. Welding must be:

1. Performed in accordance with the procedures and qualification requirements of CGA Pamphlet C-3.

2. Performed using welding rods compatible with the material of the cylinder including any non-pressure component.

3. Performed on an area free of any contaminant.

g. Each rebuilt cylinder must be:

1. Heat treated as required in the applicable specification.

2. Subjected to a full hydrostatic volumetric expansion test as specified in the applicable cylinder specification in Part 178. The results of the tests must conform to the requirements of the applicable cylinder specification.

3. Inspected and have test data reviewed to determine conformance with the applicable cylinder specification.

(4) Made of material in conformance with the specification. Rebuilt cylinders are to be grouped into lots as required in the original specification and heat treated as noted in paragraph (1) above. Each new lot of cylinders must include chemical analysis, verification, inspection and tensile testing of only the replaced part and weldments required to affect the rebuilding. Components used in the original manufacture are accepted as meeting the requirements of the specification subject to acceptable performance of the full expansion test required in paragraph (2).

h. A record of rebuilding, in the format presented in Appendix A, must be completed for each rebuilt cylinder.

i. A copy of the reports of rebuilding must be maintained by the rebuilding facility for at least 15 years.

8. SPECIAL PROVISIONS:

a. Shipping paper markings and "DOT-E" cylinder markings specified in Part 172 are not required.

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

c. Transportation of Division 2.1 materials (flammable gases) and Division 2.3 materials (gases which are poisonous by inhalation) are not authorized aboard cargo vessel or aircraft unless specifically authorized in the Hazardous Materials Table (§ 172.101)

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel, aircraft or motor vehicle used to transport packages covered by this exemption. The shipper must furnish a current 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.

- 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 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.:

R. Ryan Pitts

FEB 14 2003

Robert A. McGuire
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:KFW/AM

## Manufacturer's Report of Rebuilding

Cylinder Identification

Manufacturer_____
Cylinder Specification Number and Service Pressure_____
Cylinder Serial Number_____
Date of Original Manufacture_____
Other Identification Marks_____
_____

Rebuild Information

Chemical Analysis of Replacement Parts

Parts Being Replaced_____
Heat Identification _____
Steel Manufactured by_____
Analysis Performed by_____

| C | P | S | SI | Mn | Ni | Cr | Mo | Cu | AL | Zr |
|---|---|---|---|---|---|---|---|---|---|---|
| ___ | ___ | ___ | ___ | ___ | ___ | ___ | ___ | ___ | ___ | ___ |

Record of Physical Test Replacement Parts

| Yield PSI | Tensile PSI | Elongation in _____inches | Reduction of Area % | Weld Tensile | Weld bend |
|---|---|---|---|---|---|
| _____ | _____ | _____ | _____ | _____ | _____ |

Record of Hydrostatic Test

Calculated Volumetric Capacity of Cylinder Being Rebuilt

| Actual Test Pressure | Total Expansion | Permanent Expansion | % of Total to Perman. | Volumetric Capacity |
|---|---|---|---|---|
| _____ | _____ | _____ | _____ | _____ |

(Volumetric capacity of rebuilt cylinder must be + or 3% of the calculated capacity)

I Certify that this rebuilt cylinder is accurately represented by the data above and that all provisions of DOT-E 10297 and other applicable regulations have been complied with.

Repair Technician _____ Date _____

Company Representative _____ Date _____