U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

APR 2 0 2004

DOT-E 11257
(SIXTH REVISION)

EXPIRATION DATE: March 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Praxair, Incorporated
Danbury, CT

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

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the use of non-DOT specification salvage cylinders for overpacking damage leaking packages of pressurized and non-pressurized hazardous materials for transportation in commerce. 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 §§ 180.205(a), 173.163, 173.192, 173.201, 173.202, 173.203, 173.226, 173.227, 173.302a and 173.304a in that the use of non-DOT specification packages is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Praxair, Inc. dated April 1, 2004 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**
Hazardous materials authorized and packaged in DOT Specification cylinders classed as Division 2.1 (except acetylene), 2.2, 2.3, Class 3, Division 6.1 or Class 8	as appro-priate	as appro-priate	as appro-priate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a full-removable head non-DOT specification, steel salvage cylinder of welded construction, with provisions for securely positioning the damaged package. The salvage cylinder must be designed, constructed and stamped in accordance with Section VIII of the ASME Code for a maximum allowable working pressure (MAWP) of 378 psig. The salvage cylinder must be in accordance with Praxair drawings 200910-C or 200718-C dated 7/12/93 and 5/18/90, respectively on file with the Office of Exemptions and Approvals (OHMEA) and with the following:

Volume	139 gallons water capacity, nominal
Material	ASTM A-53, Gr.B; A-516, Gr.70; SA-285 or equivalent carbon steel
Design stress	Per ASME Code, minimum factor of safety 4:1
Outside diameter	16 inches, nominal
Length	64 inches, nominal
Sidewall thickness	0.250 inch nominal; 0.240 inch minimum
Design service pressure (MAWP)	378 psig
Operating Pressure	300 psig
Test pressure	567 psig

Openings - sidewall	Two - 1 inch diameter welded fittings
Openings - removable head	One - 1 inch NPT for valve
Pressure relief devices	None
Welded attachments	Two lifting brackets and two forklift (lifting) brackets

b. TESTING - Each salvage cylinder must be cleaned and purged after each use and must be visually inspected (internally and externally) and hydrostatically retested once every 2 years at a test pressure of at least 450 psig. The visual inspections must be performed in accordance with the Compressed Gas Association's Pamphlet C-6. The retest and inspection must be made by an employee that is familiar with the salvage cylinder and is trained and experienced in the use of the inspection and testing equipment. Records of retest must be made available to a DOT representative upon request.

c. MARKING - Each salvage cylinder must be plainly marked on both sides near the middle, in letters at least 2 inches high on a contrasting background "DOT-E 11257" and "SALVAGE CYLINDER".

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. Damaged cylinders containing liquefied gases with a vapor pressure exceeding 300 psig at 70 degrees Fahrenheit are not authorized to be transported in the salvage cylinders covered by this exemption.

d. Damaged cylinders containing non-liquefied gases must be limited in pressure and volume so that if totally discharged into the salvage cylinder the pressure at 70 degrees Fahrenheit will not exceed 300 psig.

e. Each salvage cylinder must be labeled as prescribed for the material in the damaged cylinder.

f. Each salvage cylinder must be secured to the motor vehicle by a securement system that conforms with the requirements contained in §§ 393.100 to 393.106.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

b. Drivers and persons who load/unload or transport the salvage cylinders must have been trained in handling and loading/unloading the salvage cylinder. The loaded salvage cylinder must be delivered to the consignor or the consignee as soon as possible.

c. Transportation is limited to motor vehicles owned or leased by Praxair, Incorporated or Praxair Distribution, Inc. or owned or leased by contract carriers employed by Praxair, Incorporated or Praxair Distribution, Inc.

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.

- 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.:

Robert A. McGuire
for Associate Administrator for
Hazardous Materials Safety

APR 2 0 2004
(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/sln

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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
Praxair Distribution, Inc. Danbury, CT	Apr 1, 2004	APR 2 0 2004	Mar 31, 2006

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

APR 2 0 2004
Date