DOT-E 12208
(FOURTH REVISION)

EXPIRATION DATE: June 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Air Products & Chemicals, Inc.
   Allentown, PA

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

2. PURPOSE AND LIMITATION:

   a. This exemption authorizes the transportation in commerce of certain DOT 4BW Specification cylinders containing ethyl chloride, commercially free of corroding components, when retested in accordance with the requirements specified in § 180.209(e). 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.


4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 180.209(e) in that a material not specifically listed by name is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Air Products and Chemicals, Inc., dated July 6, 2004 submitted in accordance with § 107.109.

<table>
<thead>
<tr>
<th>Proper Shipping Name/ Hazardous Materials Description</th>
<th>Hazard Class/ Division</th>
<th>Identification Number</th>
<th>Packing Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ethyl chloride</td>
<td>2.1</td>
<td>UN1037</td>
<td>N/A</td>
</tr>
</tbody>
</table>

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a DOT Specification 4BW cylinder that is protected externally by a suitable corrosion resistant coating in accordance with § 180.209(e).

b. TESTING - Each cylinder may be requalified and marked in accordance with § 180.209(e). All other applicable requirements of § 180.209(a) must be met.

c. OPERATIONAL CONTROLS - Cylinders must be used exclusively for the hazardous material described in paragraph 6 of this exemption, or other materials as described in § 180.209(e), which are commercially free from corroding components.

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 modifications or changes are made to the package 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. Each cylinder must be marked "DOT-E 12208" as required by § 172.301(c).

d. Transportation of Division 2.1 materials (flammable gases) 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, cargo vessel, and cargo aircraft only.

10. **MODAL REQUIREMENTS:** A current copy of this exemption must be carried aboard each cargo vessel and aircraft 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.
   - 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 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...
Continuation of DOT-E 12208 (4th Rev.)

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
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.

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: Staniszewski/sln
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:

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Application Date</th>
<th>Issue Date</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airgas, Inc.</td>
<td>Sep 02, 2002</td>
<td>Dec 17, 2002</td>
<td>Oct 31, 2004</td>
</tr>
<tr>
<td>Cheyenne, WY</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Robert A. McGuire
Associate Administrator for Hazardous Materials Safety

[Signature]

JUL 13 2004 Date