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

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

OCT 1 2001

DOT-E 7846
(THIRD REVISION)

EXPIRATION DATE: June 30, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Praxair, Inc.
Danbury, CT

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

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain Division 2.2 gases in manifolded and framed non-DOT specification seamless steel cylinders. 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 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 §§ 173.302(a)(1) and 173.314(c)in that non-DOT specification cylinders are not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Praxair, Inc. dated April 30, 2001, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101): OCT 1 2001

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Argon, compressed	2.2	UN1006	N/A
Helium, compressed	2.2	UN1046	N/A
Rare gases mixtures, compressed	2.2	UN1979	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are seamless steel tubes (cylinders), of 50 cubic feet nominal water capacity each, manufactured and maintained in conformance with requirements for DOT specification 107A railroad tank cars (§ 179.500). The cylinders are framed, manifolded and mounted on skids in accordance with Henderson LTD Drawing 102-19 dated July 27, 1976, on file with the Office of Hazardous Materials Exemptions & Approvals (OHMEA).

b. TESTING - Each cylinder must be retested and inspected in accordance with § 173.34(e) for DOT-3AAX cylinders except that the prescribed test pressure is equal to the marked test pressure on each cylinder.

c. OPERATIONAL CONTROLS -

(1) The maximum fill pressure for any cylinder may not exceed 7/10 of the marked test pressure for that cylinder. The maximum fill pressure for any cylinder covered by this exemption may not exceed 4000 psi.

(2) The maximum fill pressure for any manifolded cylinder in a frame assembly is limited to the cylinder having the lowest marked test pressure in that assembly.

d. Marking - Each cylinder must be marked "DOT-E 12497" as specified in §§ 172.302(b) and (c). After December 31, 2001, the existing DOT-107A marking must be removed or permanently covered.

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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.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.

10. MODAL REQUIREMENTS:

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

b. Each tank must be loaded on the motor vehicle in compliance with § 177.840(b).

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 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 at Washington, D.C.:

Robert A. McGuire
For Associate Administrator for
Hazardous Materials Safety

OCT 1 2001
(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.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: KFW