



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

APR 6 2004

DOT-E 6543
(ELEVENTH REVISION)

EXPIRATION DATE: March 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Praxair, Inc.
Tonawanda, NY

(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 materials described in paragraph 6 below in non-DOT specification cylinders or containers. This exemption provides no relief from the Hazardous Material 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 §§ 173.201, 173.202, 173.203, 173.227 and 173.304a 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 February 27, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Acetone	3	UN1090	II
Butyl acetates	3	UN1123	II
Combustible liquid, n.o.s. (n-methyl-2-pyrrolidone)	Combustible liquid	NA1993	III
Corrosive liquid, acidic, inorganic, n.o.s. (germanium tetrachloride)	8	UN3264	I
Dichlorosilane	2.3	UN2189	Hazard Zone B
Dimethyldichlorosilane	3	UN1162	II
Ethyl acetate	3	UN1173	II
Ethyl methyl ketone or Methyl ethyl ketone	3	UN1193	II
Ethylene dichloride	3	UN1184	II
Flammable liquid, corrosive, n.o.s. (Hexamethyldisilazane)	3	UN2924	III
Isopropanol or Isopropyl alcohol	3	UN1219	II
Methanol	3	UN1230	II
Phosphorus trichloride	6.1	UN1809	I
Silicon tetrachloride	8	UN1818	II
Titanium tetrachloride	8	UN1838	II
Toluene	3	UN1294	II
Trichlorosilane	4.3	UN1295	I
Xylenes	3	UN1307	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification cylinder or container described as follows:

(1) A non-DOT specification 16 gauge, 304 stainless steel cylinder having a 100 psig design pressure. Valves must be protected by a 12 gauge steel top and bottom skirt which are securely held in place by reinforcing bars. The skirt must be so designed that the valves cannot be operated without removing the two-piece cover. The cylinder must be designed as indicated on M & T Drawing No. 2, dated February 1, 1971, on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

(2) A non-DOT specification 14 gauge, 316 stainless steel container having a design pressure of 100 psig. The container must have a 14 gauge steel cover so designed that the valves cannot be opened without removing the cover. Containers must be designed as indicated on Synthatron Corp., Drawing No. 10273 C.C. on file with OHMEA.

(3) A non-DOT specification 12 gauge, type 316L stainless steel welded container having a 100 psig design pressure. The container must have a 12 gauge steel valve protection cover so designed that the valves cannot be opened without removing the cover. The container must be designed and fabricated in accordance with CAPE Co., Inc.'s Drawing No. DP86075 Rev. B. on file with OHMEA.

b. TESTING - Cylinders and containers (pressure drums) must be subjected to periodic inspection in accordance with the requirements of § 180.205 as applicable for a DOT Specification 4BW cylinder and the minimum retest pressure must be 167 psig (5/3 service pressure).

c. Operational Controls -

(1) Transportation of a Division 2.3 material (gases which are poisonous by inhalation) is not authorized aboard cargo vessel or aircraft unless specifically authorized in the Hazardous Materials Table (see § 172.101).

(2) Each non-DOT specification 16 gauge, 304 stainless steel cylinders under this exemption must be shipped at atmospheric temperature and pressure.

(3) Each non-DOT specification 14 gauge, 316 stainless steel containers and non-DOT specification 12 gauge, type 316L stainless steel welded containers under this exemption must:

(i) be blanketed with an inert nonflammable gas during shipment;

(ii) be overpacked in a strong fiberboard box;

(iii) not contain more than 5 pounds of lading;

(iv) be thoroughly cleaned and inspected prior to filling; and

(v) be retested and have new valves installed prior to the first shipment of dimethyldichlorosilane, dichlorosilane, and trichlorosilane.

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, rail freight, cargo vessel, and cargo aircraft only. .

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.

APR 6 2004

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:

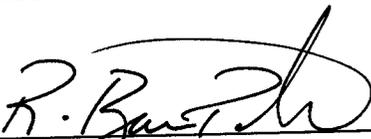
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required 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 incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



FR Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

APR 6 2004

(DATE)

APR 6 2004

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.

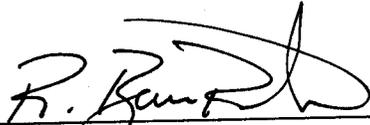
Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: SStaniszewski/dl

APR 6 2004

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 Southeast, LLC Tequesta, FL	Feb 16, 2004	APR 6 2004	Mar 31, 2006
Praxair Distribution, Inc. Danbury, CT	Feb 27, 2004	APR 6 2004	Mar 31, 2006
Praxair Puerto Rico, Inc. Gurabo, PR	Jan 30, 2004	APR 6 2004	Mar 31, 2006



APR 6 2004

Date

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety