



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

MAY 14 2003

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

DOT-E 6810  
(NINTH REVISION)

**EXPIRATION DATE: March 31, 2005**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. **GRANTEE:** Air Products and Chemicals, Incorporated  
Allentown, PA

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

2. **PURPOSE AND LIMITATION:**

a. This exemption authorizes the transportation 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 §§ 173.302a(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 Air Products and Chemicals, Incorporated dated May 5, 2003, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/Division	Identification Number	Packing Group
Argon, compressed	2.2	UN1006	N/A
Helium, compressed	2.2	UN1046	N/A
Oxygen, compressed	2.2	UN1072	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are seamless steel tubes (cylinders), manufactured and maintained in conformance with requirements for DOT specification 107A railroad tank cars (\$ 179.500), which are mounted on a motor vehicle in lieu of a rail car. Each cylinder must be modular, banded together into a frame as shown in Bureau of Mines Drawing EQ-50, dated August, 1973 in lieu of being chained. Maximum number of cylinders per motor vehicle is nine (9) or a ten (10) cylinder configuration identified in ILL-MO Products Company's letter dated August 16, 1993, with drawings and serial numbers on file with the Office of Hazardous Materials Exemptions and Approvals.

b. OPERATIONAL CONTROLS -

(1) Cylinders are subject to the requirements of §§ 173.31 and 173.314 as applicable to DOT Specification 107A tanks.

(2) Each cylinder must be visually inspected prior to shipment to ensure that it has not been damaged during loading.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

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b. A person who is not a holder of this exemption, but 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 offered for transportation in conformance with this exemption and the HMR.

c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

d. No new construction of is authorized.

e. MARKING - Each cylinder must be marked "DOT-E 6810" as specified in §§ 172.302(b) and (c). Tanks marked "DOT SP 6810" may also be used under the terms of this exemption. After December 31, 2001, the existing DOT-107A marking must be removed or permanently covered.

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 the cylinders covered by this exemption.

b. Cylinders 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:

o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

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 incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

*for* Ann Mazzullo  
Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

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(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: Hedgepeth/KFW/sln

**MAR 2 4 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
FIBA Technologies, Inc. Westboro, MA	Apr 03, 2003	Apr 24, 2003	Mar 31, 2005
Praxair, Inc. Danbury, CT	Mar 12, 2004	<b>MAR 2 4 2004</b>	Mar 31, 2005



*for* Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

**MAR 2 4 2004**

Date