U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

APR 7 2004

DOT-E 8255
(SIXTH REVISION)

EXPIRATION DATE: March 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Applied Companies
Valencia, CA

2. PURPOSE AND LIMITATIONS:

a. This exemption authorizes the manufacture, mark, sale and use of a non-reusable (non-refillable) non-DOT specification welded steel cylinder conforming with all regulations applicable to a DOT specification 39 cylinder, except as specified herein, for the transportation in commerce of the materials authorized by this exemption. 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 §§ 173.302a(a) and 175.3 in that non-DOT specification cylinders are not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Applied Companies dated January 5, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Air, Compressed	2.2	UN1002	N/A
Argon, Compressed	2.2	UN1006	N/A
Helium, Compressed	2.2	UN1046	N/A
Nitrogen, Compressed	2.2	UN1066	N/A

7. SAFETY CONTROL MEASURES: PACKAGING - Prescribed packaging is a non-reusable (non-refillable) non-DOT specification welded steel cylinder made in compliance with Applied Equipment Company's drawing 169-34 and revisions thereto on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA), and DOT-39 Specification (§ 178.65) except as follows:

§ 178.65(a) *Type, size, service pressure and test pressure.*

Each cylinder must be of welded construction.

(1) Maximum water capacity is 60 cubic inches. The marked service pressure must not exceed 5,250 psi.

(2) The test pressure is 8,750 psi.

(3) * * *

§ 178.65(b) *Material.*

The steel authorized is open-hearth, basic oxygen or electric steel of uniform quality complying with AISI 4130 steel.

§ 178.65(c) *Manufacture.*

(1) Add

(iv) The cylinder must be fabricated by girth welding two end caps onto a seamless tubing.

(2),(3) and (4) * * *

§ 178.65(f) *Pressure tests.*

(1) * * *

(2) * * *

(i) A failure occurs at a gage pressure less than 13,125 psi;

* * *

§ 178.65(i) *Markings.*

Applies except the cylinder must be marked "DOT-E 8255" instead of "DOT 39".

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.

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 modification or change is made to the package or its contents 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. Each packaging manufactured under the authority of this exemption must be marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.

e. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or aircraft used to transport packages covered by this exemption. The shipper shall furnish a 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 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued in Washington, D.C.:

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

APR 7 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/dl