U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

APR 2 7 2004

DOT-E 8915
(EIGHTEENTH REVISION)

EXPIRATION DATE: January 31, 2006

(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 manifolded DOT specification cylinders containing Division 2.1 and 2.2 gases. 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)(4)(ii) and §§ 173.302a(a)(3) and 173.302a(a)(5) insofar as additional hazardous materials are not authorized in DOT specification cylinders, except as specified herein.

5. BASIS: This exemption is based on the application of Praxair, Inc. dated April 14, 2004, 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**	**Identi- fication Number**	**Packing Group**
Argon, compressed	2.2	UN1006	N/A
Compressed gas, n.o.s. (contains chlorine)	2.2	UN1956	N/A
Helium, compressed	2.2	UN1046	N/A
Hexafluoroethane *or* Refrigerant gas R116	2.2	UN2193	N/A
Krypton, compressed	2.2	UN1056	N/A
Mixtures of Argon, compressed; Krypton, compressed; Xenon; Helium, compressed; Nitrogen, compressed; Carbon dioxide; and Tetrafluoromethane; with not over 21 percent Oxygen/ Compressed or Liquefied gases, n.o.s.	2.2	UN1956	N/A
Mixtures of Silane; Argon, compressed; Xenon; Helium, compressed; Hydrogen, compressed; Nitrogen, compressed; Methane, compressed; Carbon dioxide; and Tetrafluoromethane/compressed or Liquefied gases, n.o.s. or Compressed or Liquefied gases, flammable, n.o.s., as applicable	2.1 or 2.2 as appli- cable	UN1956, UN1954, or UN3163	N/A
Nitrogen, compressed	2.2	UN1066	N/A
Nitrogen trifluoride	2.2	UN2451	N/A
Silane	2.1	UN2203	N/A
Tetrafluoromethane *or* Refrigerant gas R14	2.2	UN1982	N/A
Trifluoromethane *or* Refrigerant gas R23	2.2	UN1984	N/A
Vinyl fluoride, stabilized	2.1	UN1860	N/A
Xenon	2.2	UN2036	N/A

7. SAFETY CONTROL MEASURES: APR 2 7 2004

a. PACKAGING - Packagings prescribed are DOT Specification 3A, 3AA, 3AX, 3AAX, 3T, or 3AL (§§ 178.36, 178.37, 178.45, 178.46) cylinders.

(1) Manifolded DOT 3A, 3AA, 3AX, 3AAX, 3T, and 3AL specification cylinders must fully conform with § 173.301(b) and (g) when used to transport the Division 2.2 gases or gas mixtures described in paragraph 6. Tetrafluoromethane and mixtures of tetrafluoromethane are not authorized in Specification DOT 3AL cylinders.

(2) Manifolded DOT 3A, 3AA, 3AX, 3AAX, 3T, and 3AL specification cylinders must fully conform with § 173.301(b) when used to transport the Division 2.1 gases and gas mixtures described in paragraph 6. Tetrafluoromethane and mixtures of tetrafluoromethane are not authorized in Specification DOT 3AL cylinders.

b. TESTING - Cylinders must be retested and reinspected in accordance with the applicable requirements of § 180.205.

c. MARKING - Each storage gas module with DOT 3AX, 3AAX or 3T cylinders must be marked "DOT-E 8915" on both sides near the middle in letters and numerals at least 2 inches high on a contrasting background.

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 and cargo vessel (see restrictions in paragraphs 10.b and 10.c).

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.

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b. Division 2.1 gases shipped in DOT Specification 3AL cylinders are not authorized for transportation by vessel.

c. Transportation of Division 2.1 (flammable gases) in DOT Specification cylinders other than 3AL cylinders are not authorized aboard cargo vessels unless specifically authorized in the Hazardous Materials Table (§ 172.101).

d. Double stacking of these packagings is prohibited when transported via rail in container on flat car service.

e. Railcars containing these packagings must not be placed next to:

(1) an occupied locomotive or caboose

(2) an open top rail car when any of the lading in the open top car protrudes beyond the car end, or if the lading shifted would protrude beyond the car ends.

(3) any transport vehicle or freight container having an operating internal combustion engine or an open flame device in operation.

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 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.:

for 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: BS/sln

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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
Advanced Silicon Materials LLC Silver Bow, MT	Jan 14, 2004	Mar 10, 2004	Jan 31, 2006
Air Liquide America L.P. (Former Grantee: Air Liquide America Corp) Houston, TX	Jan 28, 2004	Mar 10, 2004	Jan 31, 2006
Anderson Development Company Adrian, MI	Jan 26, 2004	Mar 10, 2004	Jan 31, 2006
BOC Gases Murray Hill, NJ	Dec 30, 2003	Mar 10, 2004	Jan 31, 2006
E.I. du Pont de Nemours & Company Wilmington, DE	Jan 26, 2004	Mar 10, 2004	Jan 31, 2006
FIBA Technologies, Inc. Westboro, MA	Jan 08, 2004	Mar 10, 2004	Jan 31, 2006
MEMC Pasadena Inc. Pasadena, TX	Mar 5, 2004	Mar 29, 2004	Jan 31, 2006
Matheson Tri-Gas, Inc. (Former Grantee: Matheson Gas Product) East Rutherford, NJ	Jan 05, 2004	Mar 10, 2004	Jan 31, 2006
Praxair Distribution Southeast, LLC Tequesta, FL	Jan 21, 2004	Mar 10, 2004	Jan 31, 2006

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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