



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

**JUL 2 2004**

DOT-E 9030  
(FOURTH REVISION)

EXPIRATION DATE: **May 31, 2006**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: LND, Inc.  
Oceanside, NY
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce of certain nonflammable compressed gases in non-DOT specification containers. 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 § 173.302 in that non-DOT specification containers are not authorized except as specified herein, and § 175.3.
5. BASIS: This exemption is based on the application of LND, Inc., dated June 7, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

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Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Argon, compressed	2.2	UN1006	N/A
Nitrogen, compressed	2.2	UN1066	N/A

7. SAFETY CONTROL MEASURES: Prescribed packaging is a non-DOT specification, metal, single trip, inside container, described as "Gamma radiation detector" having a design (operating) pressure of 620 psig and a 35 cubic inch maximum water capacity. The detector assembly must comply with drawing number 2-50442 Rev 01 dated November 22, 1983 on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). The detector assembly must be shipped inside a aluminum outside container complying with drawing 1-296-001 Rev 00 dated March 15, 1983. The design burst pressure of the detector must be at least:

- a. Three times the design pressure if equipped with a relief device; or
- b. Four times the design pressure if not equipped with a relief device.

8. SPECIAL PROVISIONS:

a. 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 or its contents and it is reoffered for transportation in conformance with this exemption and the HMR.

b. The following provisions are not applicable when offered for transportation by air;

(1) Packages covered by this exemption are excepted from the labeling requirements of 49 CFR Part 172.

(2) Shipments are not subject to the placarding requirements of Subpart F of 49 CFR Part 172.

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

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, cargo vessel, rail freight, passenger-carrying aircraft and cargo-aircraft only.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel and aircraft used to transport packages covered by this exemption. The shipper must 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:
  - 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 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 incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



*fa* 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: AM