



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 1 2004

DOT-E 9491
(SIXTH REVISION)

EXPIRATION DATE: February 28, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: E.I. du Pont de Nemours & Company, Inc.
Wilmington, Delaware

(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 compressed gases in DOT specification 3AL 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.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.304a(a)(1) in that DOT 3AL specification cylinders are not authorized for charging the materials described in paragraph 6, except as specified herein.

5. BASIS: This exemption is based on the application of Du Pont Company dated April 28, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Hexafluoroethane, compressed or Refrigerant, gas R116	2.2	UN2193	N/A
Trifloromethane or Refrigerant gas, R23	2.2	UN1984	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT Specification 3AL cylinders. The liquid portion of trifluoromethane may completely fill the cylinder at or below 130°F, provided the pressure at the critical temperature does not exceed one and one-fourth times the service pressure.

Minimum cylinder service pressures and maximum filling densities are as follows:

	<u>Trifluoromethane</u> R23	<u>Hexafluoroethane</u> R116
Cylinder service pressure	1800	1800
Maximum filling density (%)	84.4	112.0
Pressure at 70°F(psig)	605	970
Pressure at 130°F(psig)	2045	2240

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, cargo aircraft only, and passenger-carrying aircraft.
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.
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.

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(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.:

Robert A. McGuire

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.

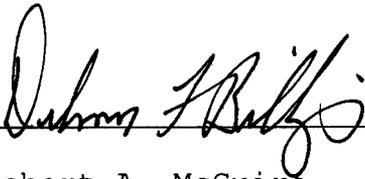
Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: KFW/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
Air Products and Chemicals, Inc. Allentown, PA	Jul 31, 2002	Aug 8, 2002	Jun 30, 2004
Airgas, Inc. Cheyenne, WY	Mar 31, 2004	Mar 29, 2004	Feb 28, 2006
BOC Gases Murray Hill, NJ	Mar 16, 2004	Mar 29, 2004	Feb 28, 2006
Matheson Tri Gas East Rutherford, NJ (Former Grantee: Matheson Gas Products)	Apr 5, 2004	Apr 27, 2004	Feb 28, 2006



ja Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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Date