



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

APR 29 2004

DOT-E 10064
(FOURTH 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-refillable, non-DOT specification cylinder described in paragraph 7 for the transportation in commerce of certain Division 2.2 compressed gases. This exemption provides no relief from any 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)(3) and § 175.3 in that a non-DOT specification cylinder is 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:

- a. PACKAGING - Prescribed packaging is a non-refillable, non-DOT specification cylinder conforming with Applied Companies' drawing 333-47 Rev. A and referenced drawings on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA) and DOT Specification 39 (§ 178.65), except as follows:

§ 178.65(a)(1) - Maximum size is 30 cubic inches nominal with a maximum service pressure of 10,000 psig.

§ 178.65(a)(2) - Minimum test pressure is 16,500 psig.

§ 178.65(b)(1) - Material: The cylinder must be constructed of AISI 4130 steel.

§ 178.65(c)(2) - (add) viii. All welds must be 100 percent radiographed and magnetic particle inspected after hydrostatic test and must be defect free.

§ 178.65(f)(2)(i) - A failure occurs at a gauge pressure less than 2.5 times the marked service pressure.

§ 178.65(i)(2)(i) - Each cylinder must be marked as specified in this section except "DOT-E 10064" must be substituted for "DOT-39".

- b. The cylinders must be shipped in strong outside packagings in accordance with § 173.301(a)(9).
- c. Prototype packagings must have been qualified under the qualification program as described in the application prior to initial shipment.

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 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. 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 and cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle and aircraft 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:

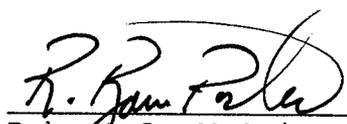
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required 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. (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.:



Robert A. McGuire
fr Associate Administrator for
Hazardous Materials Safety

APR 29 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: JLW/AM