



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

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

DOT-E 10704  
(EIGHTH REVISION)

**AUG 7 2003**

**EXPIRATION DATE: April 30, 2005**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Air Liquide America L.P.  
(Former Grantee: Air Liquide America Corporation)  
Houston, TX

(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 DOT Specification 2Q containers with Division 2.2 materials that contain trace amounts of a calibration gas or gases used for calibration and functional checks of portable and fixed environmental quality monitors, medical analyzers, or medical monitors. 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)(1) in that DOT Specification 2Q containers are not authorized for the materials listed in paragraph 6, except as specified herein; Part 172, Subpart C unless transported by air; Part 172 Subpart E unless transported by air; Part 172 Subpart F; Part 174; and Part 177.
5. BASIS: This exemption is based on Air Liquide America Corporation's application dated July 24, 2003, 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	Identification Number	Packing Group
Compressed gas, oxidizing, n.o.s. (Oxygen & Nitrogen)	2.2	UN3156	N/A
Compressed gas, n.o.s. or proper shipping name as specified in § 172.101	2.2	UN1956 or as appropriate	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are seamless DOT Specification 2Q containers not exceeding one liter capacity and having a minimum burst pressure of 360 psig. Containers must be shipped as follows:

(1) The pressure in the container may not exceed 160 psig at 70°F and 180 psig at 130°F.

(2) The containers must be packed in strong outside packagings.

(3) Each package may not exceed 66 pounds gross weight.

b. TESTING - Each completed container filled for shipment must have been heated until the pressure in the container is equivalent to the equilibrium pressure of the content at 130°F without evidence of leakage, distortion, or other defect.

c. OPERATIONAL CONTROLS - Shipments are not subject to the shipping paper requirements of Subpart C of Part 172 unless offered for transportation by aircraft. Shipments are not subject to the labeling requirements of Subpart E of Part

172 except when offered for transportation by air. The CARGO AIRCRAFT ONLY label must be printed or affixed to a surface (other than the bottom) of each package in proximity to the required marking and labeling on each package intended for transportation by air. Shipments are not subject to the placarding requirements of Subpart F of Part 172; to Part 174 and to Part 177.

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 change 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.

c. MARKING - Each outer package must meet the marking requirements of Subpart D of Part 172 and be marked "DOT-E 10704".

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

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each 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 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 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  
for Associate Administrator for  
Hazardous Materials Safety

AUG 7 2003

(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: sln

**February 23, 2004**

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:

<b>Company Name City/State</b>	<b>Application Date</b>	<b>Issue Date</b>	<b>Expiration Date</b>
Airgas, Inc. Cheyenne, WY	Jun 01, 2003	Jun 20, 2003	Apr 30, 2005
Bedfont Scientific, Ltd. Upchurch, Kent, UK (U.S. Agent: Gas Analysis Company, Inc. (GASCO) Bradenton, FL)	Jul 24, 2003	Aug 07, 2003	Apr 30, 2005
Gasco Affiliates, L.L.C. Sarasota, FL	Jul 28, 2003	Aug 07, 2003	Apr 30, 2005
ORB Industries, Inc. Brookhaven, PA	Aug 28, 2003	Sep 15, 2003	Apr 30, 2005
Scott Specialty Gases, Inc. Plumsteadville, PA	Jun 24, 2003	Aug 07, 2003	Apr 30, 2005
Southern Cross Corporation Norcross, GA	May 22, 2003	May 30, 2003	Apr 30, 2005
Spray Products Corporation Norristown, PA	Dec 04, 2003	Feb 23, 2004	Apr 30, 2005

for Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety