



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

OCT 19 2004

DOT-E 11394
(FOURTH REVISION)

EXPIRATION DATE: September 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Amtrol, Inc.
West Warwick, Rhode Island
2. PURPOSE AND LIMITATIONS:
 - a. This exemption authorizes the manufacture, mark, sale and use of a non-DOT specification cylinder conforming with all regulations applicable to a DOT specification 4BA cylinder, except as specified herein, for the transportation in commerce of the materials authorized by this exemption. This exemption provides no relief from any Hazardous Materials Regulation (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), 173.304a(a) and (d), in that a non-DOT specification cylinder is not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of Amtrol Inc., dated September 21, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):**OCT 19 2004**

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
All hazardous materials currently authorized for transportation in DOT specification 4BA cylinders.	As appropriate	As appropriate	As appropriate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification cylinder in conformance with DOT Specification 4BA (§ 178.51) except as follows:

§ 178.51(b) *Steel*. ASTM A 240 Types 304L, or 316L stainless steels having the following composition are authorized:

	<u>Composition (%)</u>	
	304L	316L
Stainless steel	304L	316L
Carbon (Max.)	0.03	0.03
Manganese (Max.)	2.00	2.00
Phosphorus (Max.)	0.045	0.045
Sulphur (Max.)	0.030	0.030
Silicon (Max.)	1.00	1.00
Nickel	8.0-11.0	10.0-14.0
Chromium	18.0-20.0	16.0-18.0
Molybdenum	----	2.0-3.0
Copper (Max.)	----	0.50
Iron	Balance	Balance

§ 178.51(f) *Wall thickness.*

(1) * * *

(iii) 35,000 psi, except for stainless steel which may not exceed 45,000.

* * *

§ 178.51(g) *Heat treatment.*

(1) Heat treatment is not required for ASTM A 240 Type 304L or 316L stainless steel.

§ 178.51(n) *Marking.*

Applies except that "DOT-E 11394" must be used in place of "DOT 4BA" followed by the service pressure.

b. TESTING - Each cylinder must be reinspected and retested in accordance with § 180.209 as prescribed for DOT 4BA cylinders.

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.

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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 vessel.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel used to transport packages covered by this exemption.
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, 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.

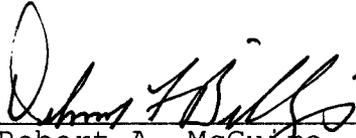
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

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 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.



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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/AM