



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

**AUG 1 0 2004**

DOT-E 11447  
(EIGHTH REVISION)

EXPIRATION DATE: July 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: SAES Pure Gas, Inc.  
San Luis Obispo, CA
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce of a gas purification apparatus containing bulk quantities of certain Division 4.1 (flammable solids) and Division 4.2 (spontaneously combustible) solids in non-DOT specification stainless steel pressure vessels. 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 §§ 173.240 and 173.242 in that non-DOT specification pressure vessels are authorized as a packaging for bulk quantities of Division 4.1 and Division 4.2 materials; and the "away from" segregation requirement in § 176.83 for the storage of Division 4.1 and Division 4.2 materials in the same cargo hold.
5. BASIS: This exemption is based on the application of SAES Pure Gas, Inc. dated June 7, 2004, 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
Metal catalyst, dry	4.2	UN2881	II
Metal powders, flammable, n.o.s. (zirconium alloy)	4.1	UN3089	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The Division 4.2 metal catalyst is contained within one to six non-DOT specification stainless steel pressure vessels under a nitrogen or argon blanket not exceeding 25 psig. The pressure vessels and associated components must be arranged and securely affixed within a welded steel frame as shown in SAES Pure Gas, Inc. Drawing number 4010226, Rev. 1, dated September 30, 1998, on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). The total amount of metal catalyst contained within a single purifier shipment may not exceed 8,000 pounds and the nickel content must not exceed 5,200 pounds. The pressure vessels must be designed, constructed, and tested in accordance with Section VIII, Division I of the ASME Boiler and Pressure Vessel Code. The maximum allowable working pressure of each pressure vessel may not be less than 225 psig at 250 degrees C.

- (1) Pressure vessels not for export must be "U" stamped.
- (2) Pressure vessels for export only to a country not recognizing the ASME Code "U" symbol stamp, may alternatively be stamped as required by the governing design code of the accepting country.

b. The Division 4.1 metal powder is contained within one to six non-DOT specification stainless steel pressure vessels under a nitrogen or argon blanket not exceeding 25 psig. The pressure vessels and associated components must be arranged and securely affixed within a welded steel frame as

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shown in SAES Pure Gas, Inc. Drawing number 4010226, Rev. 1, dated September 30, 1998, on file with the OHMEA. The total amount of metal powder contained within a single purifier shipment may not exceed 550 pounds. The pressure vessels must be designed, constructed and tested in accordance with Section VIII, Division I of the ASME Boiler and Pressure Vessel Code. The maximum allowable working pressure of each pressure vessel may not be less than 225 psig at 250 degrees C.

- (1) Pressure vessels not for export must be "U" stamped.
- (2) Pressure vessels for export only to a country not recognizing the ASME Code "U" symbol stamp, may alternatively be stamped as required by the governing design code of the accepting country.

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, cargo only aircraft and cargo vessel.

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. (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

**AUG 1 0 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.

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