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

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

NOV 2 6 2003

DOT-E 11952
(FOURTH REVISION)

EXPIRATION DATE: October 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: U.S. Department of Defense
Fort Eustis, VA

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain pressure metal containers containing limited quantities of compressed nitrogen. 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 § 173.306(a) in that the 30 kg weight limit specified is exceeded.

5. BASIS: This exemption is based on the application of the U.S. Department of Defense dated October 20, 2003 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Nitrogen, compressed	2.2	UN1066	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are pressure metal containers conforming to DOD drawings 1784AS0829 or 137769 on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). Each metal container contains a maximum of 4.57 cubic inches of nitrogen, compressed to a maximum pressure of 3,000 psig.

(1) Up to six metal containers may be transported in reusable metal boxes conforming to DOD drawing 3454AS100 on file with OHMEA. The gross weight of the completed package may not exceed 320 kg (700 pounds).

(2) Up to eight metal containers may be transported in reusable wooden boxes conforming to DOD drawing 137093 on file with OHMEA. The gross weight of the completed package may not exceed 320 kg (700 pounds).

8. SPECIAL PROVISIONS:

a. The prescribed packagings are exempted from the 30 kg (66 lbs.) gross weight limitation specified in § 173.306(a). Shipments of packagings covered by this exemption may be shipped under all limited quantity provisions of § 173.306(a).

b. 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 modification or change is made to the package or its contents and it is reoffered 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. The outside of each container must be plainly and durably marked "DOT-E 11952" as specified in § 172.302(c).

e. This exemption serves as a Competent Authority Approval (CA-9709005) issued by the Associate Administrator for Hazardous Materials Safety of the United States Department of Transportation, in accordance with Section 7.9 of the International Maritime Dangerous Goods (IMDG) Code and Part 1, paragraph 1.1.2 of the International Civil Aviation Organization Technical Instructions (ICAO TI).

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

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 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:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- 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 inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

NOV 2 6 2003

Robert A. McGuire (DATE)
for Associate Administrator for
Hazardous Materials Safety

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: DBurger/HS/alb