



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 28 2004

DOT-E 12112
(SIXTH REVISION)

EXPIRATION DATE: May 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Omnigas Systems, Inc.
Miami, FL

(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 non-DOT specification cylinders which are used as components (fire extinguishers) in aircraft of foreign manufacture. 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 §§ 173.301(a)(9), 173.301(i) and § 173.302a(a) in that a non-DOT specification cylinder is not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of Omnigas Systems, Inc. dated June 8, 2004 submitted in accordance with § 107.109.

JUN 28 2004

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Fire extinguisher <i>containing compressed or liquefied gas</i>	2.2	UN1044	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are non-DOT specification foreign-made cylinders bearing the United Kingdom Civil Aviation Authority type approval number DAI/2416/47. Each cylinder must have affixed, or by use of an adhesive metal label, the approval number and the name and address of the manufacturer. This marking also must include the serial number, capacity, weight, charging pressure, test pressure, date of test, inspector's stamp, name of contents and filling instructions.

b. OPERATIONAL CONTROLS - Each fire extinguisher shipped under this exemption must be overpacked in strong outside packagings in accordance with § 173.25.

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 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.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation

c. This exemption covers only cylinders to be used in aircraft of foreign manufacture, which cylinders are provided for under the bilateral agreement between the United Kingdom and the United States, implemented by the United Kingdom Civil Aviation Authority and the United States Federal Aviation Administration.

JUN 28 2004

d. MARKING:

- (1) The outside of each cylinder must be plainly and durably marked "DOT-E 12112" and with the name of contents, in connection with and in addition to the other markings and the label prescribed by the DOT regulations.
 - (2) Each strong outside packaging containing fire extinguishers authorized under, and in compliance with, this exemption must be marked "INSIDE CONTAINERS COMPLY WITH DOT-E 12112".
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger-carrying aircraft subject to transportation limitations as prescribed for equivalent size DOT Specification cylinders.
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 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 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

JUN 28 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: Staniszewski/sln

JUN 28 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:

Company Name City/State	Application Date	Issue Date	Expiration Date
Kidde Aerospace Wilson, NC	Feb 27, 2003 & Jan 27, 2003	Apr 25, 2004	Aug 31, 2004

Robert A. McGuire

JUN 28 2004

Date

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Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety