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

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

JAN 21 2003

DOT-E 12222
(SECOND REVISION)

EXPIRATION DATE: December 31, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: iSi GmbH (previously iSi Metallwarenfabik GmbH)
Vienna, Austria
US Agent: iSi North America Inc.
Fairfield, New Jersey

2. PURPOSE AND LIMITATIONS:

a. This exemption authorizes the manufacture, mark, sale and use of a DOT Specification 39 cylinder for transporting carbon dioxide (Division 2.2) with a maximum permitted filling density of 75 percent. 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. The safety analyses did not consider the hazards and risks associated with use as a component of another device, or other uses not associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.304a(a)(2) in that the maximum permitted filling density is 75 percent for a DOT specification 39 cylinder.

5. BASIS: This exemption is based on the application of iSi GmbH dated December 13, 2002, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Carbon dioxide	2.2	UN1013	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT 39 Specification cylinder made in accordance with iSi GmbH drawings 46300-0 dated 01/22/99 and 80163-0 dated 06/16/1995 on file with the Office of Hazardous Materials Exemptions and Approvals having a maximum volume of 300 ml (18.3 cubic inches) and maximum service pressure of 200 bar (2900 psig)at 54°C (130° F).

b. OPERATIONAL CONTROL - The maximum permitted filling density is 75 percent.

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.

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.

f. The cylinders may be used only for Submarine Escape & Immersion Equipment.

g. Each cylinder must be overpacked for shipment in accordance with § 173.301(a)(9).

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 cargo vessel and 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, 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 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.

Robert A. McGuire
for Associate Administrator for
Hazardous Materials Safety

JAN 21 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: MM Toughiry/KFW/sln