



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

APR 1 2004

DOT-E 12338
(SECOND REVISION)

EXPIRATION DATE: February 28, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Mykrolis Corporation
San Diego, CA
(Former Grantee: Aeronex, Inc.)
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of certain non-DOT specification cylinders described as high pressure purifiers containing a Division 4.2 material. 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 § 173.212 in that a non-DOT specification cylinder is not an authorized packaging, except as specified herein.
5. BASIS: This exemption is based on the application of Mykrolis Corporation. dated March 11, 2004, 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
Self-heating Solid, inorganic, n.o.s. (<i>Nickel Mixture</i>)	4.2	UN3190	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a non-DOT specification steel cylinder equipped with plugs and fittings and described as a high pressure purifier. The cylinder is manufactured by Norris Cylinder Company, and is designed, manufactured, tested and "U" stamped in accordance with Section VIII, Division 1 of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code. The purifier assembly is designed for a maximum allowable working pressure of 3,000 psig and must conform to Aeronex drawing numbers 40-01941 Rev. A and 901B-B-9432 Rev. 04 on file with the Office of Hazardous Materials Exemptions and Approvals.

b. TESTING - No retest is required.

c. OPERATIONAL CONTROLS - Each cylinder must be shipped with a positive nitrogen or other inert gas blanket not exceeding 25 psig.

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. MARKING - Each cylinder must be plainly and durably marked "DOT-E 12338" as specified in § 172.301(c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

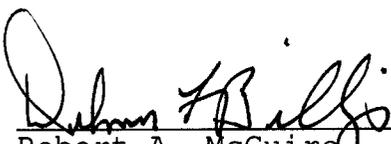
- 10. MODAL REQUIREMENTS: None as a requirement of this exemption.
- 11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 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.:

for 

 Robert A. McGuire
 Associate Administrator for
 Hazardous Materials Safety

APR 1 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: CWFREEMAN/sln