



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

JUN 28 2004

DOT-E 12571
(THIRD REVISION)

EXPIRATION DATE: May 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Air Products & Chemicals, Inc.
Allentown, PA

(See Appendix A for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of nitrogen trifluoride and nitrogen trifluoride mixtures in certain DOT specification cylinders that are not equipped with pressure relief devices. 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. The safety analyses did not consider the hazards and risks associated with use as a component of a transport vehicle or other 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 § 173.301a(d)(1) in that the DOT specification cylinders are not equipped with pressure relief devices as prescribed therein.
5. BASIS: This exemption is based on the application of Air Products & Chemicals, Inc. dated June 4, 2004 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

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Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Nitrogen trifluoride	2.2	UN2451	N/A
Compressed gases, n.o.s. (contains Nitrogen trifluoride)	2.2	UN1956	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT 3A, 3AA, 3AX, 3AAX, and 3T cylinders that meet all requirements of the applicable specification except that they are not equipped with pressure relief devices as prescribed in § 173.301a(d)(1). Additionally, each cylinder must have a marked service pressure of at least 1,800 psig.

b. TESTING - Each cylinder must be requalified for use every five years in accordance with § 180.209 as prescribed for DOT-3AX, 3AAX or 3T cylinders. As an alternative, each cylinder may be requalified by acoustic emission and ultrasonic examination (AE/UE) in accordance with DOT-E 9419, DOT-E 10922, and DOT-E 12629, or by a retest facility approved by OHMEA for AE/UE of these types of cylinders.

c. OPERATIONAL CONTROLS -

(1) Each cylinder must be charged to a pressure of no greater than 1,500 psig at 70°F.

(2) The driver of the transport vehicle must be instructed that when the vehicle is in an accident involving spilled fuel or fire, the vehicle must be move to a safe location unless moving the vehicle would directly endanger others.

(3) Emergency response information provided with the shipment and available via an emergency response telephone number must indicate that the receptacles are not fitted with pressure relief devices and provide appropriate guidance for fire.

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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. Each cylinder marked "DOT-E 12571" in addition to the specification markings.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, cargo vessel, and cargo aircraft only.10. MODAL REQUIREMENTS:

a. 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.

b. The quantity limitations in § 172.101, Column 9(B) apply to cargo aircraft shipments made under this exemption.

c. Transportation by motor vehicle is limited to private carriage.

d. For transport by cargo vessel, cylinders must be secured within a freight container or ISO frame.

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
b7 Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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(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.

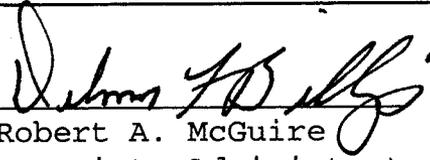
Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: CWF/AM

AUG 1 7 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
Air Liquide America L.P. Houston, TX	Jul 26, 2004	AUG 1 7 2004	May 31, 2006
Anderson Development Company Adrian, MI	Jul 26, 2004	AUG 1 7 2004	May 31, 2006
Praxair Danbury, CT	Nov 07, 2002	Nov 22, 2003	Sep 30, 2004

for 
Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety