



U.S. Department
of Transportation

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

**Research and
Special Programs
Administration**

DOT-E 12818
(FOURTH REVISION)

JUL 29 2004

EXPIRATION DATE: June 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Kidde Aerospace
Wilson, North Carolina
(Former Grantee: HRD Aero Systems, Inc.)
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of certain foreign manufactured non-DOT specification steel cylinders which are used as components (fire extinguishers) in aircraft. 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(j) and 173.302a in that a non-DOT specification cylinder is not authorized except as specified herein.
5. BASIS: This exemption is based on the application of Kidde Aerospace dated July 28, 2004 submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Fire extinguisher containing compressed or liquefied gas	2.2	UN1044	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are non-DOT specification foreign-made steel cylinders bearing L'Hoteliar (formerly Kidde Dexaero) Part Numbers 811456 and 811475. 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 -

(1) This exemption covers only cylinders (fire extinguishers) to be used in aircraft of foreign manufacture, which cylinders are provided for under the bilateral agreement between France and the United States, implemented by the French Direction Generale del' Aviation Civile (DGAC) and the United States Federal Aviation Administration (FAA).

(2) The cylinders (fire extinguisher) are installed on the Fan Jet Falcon Series aircraft manufactured by Dassault Aviation and have received design approval as manifested by type certification of the aircraft by the DGAC and subsequent validation by the FAA (Type Certificate A7EU).

(3) Each fire extinguisher shipped under this exemption must be overpacked in strong outside packagings.

8. SPECIAL PROVISIONS:

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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 modifications or change are made to the package 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:

(1) The outside of each cylinder must be plainly and durably marked "DOT-E 12818" 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 12818".

d. Transportation of the cylinders covered by this exemption is only authorized to and from the cylinder requalification facility.

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. (See paragraph 8.d for restrictions).

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:

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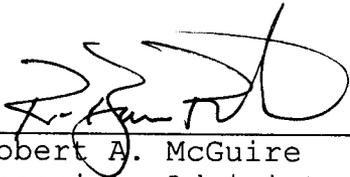
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required 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.:



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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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.

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Hazardous Materials Safety Homepage at
<http://hazmat.dot.gov/exemptions> Photo reproductions and legible
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PO: CHH/sln