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

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

FEB 4 2003

DOT-E 12866
(FIRST REVISION)

| EXPIRATION DATE: December 31, 2004 |
|---|

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Delta Air Lines
Atlanta, Georgia

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain non-DOT specification cylinders, containing a Division 2.2 material, manufactured in accordance with DOT Specification 3HT that have been marked with a steel stamp other than the low stress stamp required by the Hazardous Materials Regulations (HMR). This exemption provides no relief from the 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 § 172.301(c) in that each package is not required to be marked with the exemption number; and §§ 173.302a(a)(2) and 175.3 in that a non-DOT specification cylinder containing a compressed gas is not authorized except as specified herein.

5. BASIS: This exemption is based on the application of Delta Air Lines dated January 14, 2002, and supplemental information dated April 30, 2002 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Material Description | | | |
|---|---|---|---|
| **Proper Shipping Name** | **Hazard Class/ Division** | **Identi-fication Number** | **Packing Group** |
| Compressed gas, n.o.s. | 2.2 | UN1956 | N/A |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are non-DOT specification cylinders stamped DOT-3HT, except that the cylinders have been marked with a steel stamp other than the low stress stamp required by §§ 180.213(c)(2) and 178.44(r).

b. TESTING - Each cylinder must be inspected and tested in accordance with § 180.209(a) for DOT 3HT specification cylinders. In addition, a magnetic particle examination of the high stressed stamp area must be performed at the time of each retest in accordance with the magnetic particle inspection program on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

c. OPERATIONAL CONTROLS -

(1) This exemption covers only cylinders identified as meeting the following:

| MANUFACTURERS PART NO. | DELTA PART NO. |
|---|---|
| 803300-33 | 526701150 |
| 801307-00 | 354701472 |
| 801307-22 | 359001020 |
| 801307-06 | 353701148 |
| 801307-04 | 353701138 |

(2) The cylinders under this exemption are only authorized to supply emergency oxygen for the crew, and to activate aircraft doors in an emergency.

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 modifications or changes 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 tested. Additionally if the cylinders authorized by this exemption are transported by other than Delta Air Lines, a current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. The marking requirement of § 172.301(c) is waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, cargo aircraft only, and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: If the cylinders authorized by this exemption are transported by a carrier other than Delta Air Lines, a current copy of this exemption must be carried aboard each aircraft or motor vehicle used to transport packages covered by this exemption. Additionally, Delta Air Lines shall furnish a 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, 49 CFR 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 inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

FEB 4 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: SStaniszewski/CHHochman