



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

MAR 17 2004

DOT-E 12969
(FIRST REVISION)

EXPIRATION DATE: February 28, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Arrowhead Industrial Services, Inc.
Graham, NC
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of certain DOT specification cylinders containing Division 2.2 materials for the purpose of performing the pressure relief devices tests specified in § 173.301(f). 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 § 180.205 in that cylinders equipped with pressure relief devices that have not been tested are not authorized, except as specified herein; the marking requirements specified in §§ 172.203(a) and 172.301(c).
5. BASIS: This exemption is based on the application of Arrowhead Industrial Services, Incorporated dated February 24, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Division 2.2 materials that are authorized to be shipped in DOT specification cylinders	2.2	As applicable	As applicable

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT specification cylinders that meet all manufacturing, testing, inspection, and marking requirements of the applicable specification except that the cylinder is equipped with a pressure relief device(s) that has not been tested in accordance with the provisions of § 180.205.

b. OPERATIONAL CONTROLS -

(1) Shipment of prescribed cylinders is authorized only from the Arrowhead Industrial Services laboratory to a remote testing facility for the purpose of completing the required tests.

(2) Only Arrowhead Industrial Services Company vehicles and drivers may be used to transport cylinders to the testing facility.

(3) Cylinders must be shipped in strong outside packaging in accordance with § 173.301(a)(9).

(4) No more than six cylinders may be transported on each vehicle.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be maintained at each facility where the package is offered for transportation.

b. The driver of the motor vehicle must be instructed in how to proceed if the vehicle is in an accident involving spilled fuel or fire.

c. The marking requirements specified in §§ 172.203(a) and 172.301(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by 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.:



Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAR 17 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
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