



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

OCT 19 2004

DOT-E 13102
(FOURTH REVISION)

EXPIRATION DATE: September 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Watts Regulator Company
North Andover, MA

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain non-DOT specification packagings, described as actuators, charged with limited quantities of various hazardous materials. The actuators are transported separately or as part of a valve assembly. 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 §§ 173.150(b) and 173.306(a) in that the gross weight of the valve assembly containing the actuator exceeds the 66-pound limitation; § 173.306(a)(1) in that the largest actuator exceeds the 4-ounce limit, § 173.222(c) in that each actuator may contain more than the authorized weight of hazardous material, and § 173.322 in that the actuator is not an authorized packaging except as described herein.

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5. BASIS: This exemption is based on the application of Watts Regulator Company dated September 21, 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
Acetone	3	UN1090	II
Butane see also Petroleum gases, liquefied	2.1	UN1011	N/A
Butanols	3	UN1120	II
Ethyl alcohol see Ethanol	3	UN1170	II
Ethyl chloride	2.1	UN1037	N/A
Ethyl ether see Diethyl ether	3	UN1155	I
Compressed gas, n.o.s. (contains 2,2-dichloro-1,1,1-trifluoroethane)	2.2	UN1956	N/A
Methyl chloride or Refrigerant gas R40	2.1	UN1063	N/A
n-Propanol or Propyl alcohol, normal	3	UN1274	II
Dangerous Goods in Machinery or Dangerous Goods in Apparatus*	9	UN3363	N/A

* This proper shipping name is not authorized for actuators charged with butane, ethyl chloride, or methyl chloride.

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - Prescribed packaging is a hermetically sealed metal actuator that opens or closes a valve assembly in response to temperature changes. The actuator contains no greater than 1.2 liters of hazardous material. The

actuator is filled with all materials in the liquid state, with the specified gases being charged up to 60 psig. The actuator is shipped either separately, as part of the valve assembly, or as part of a valve assembly that is attached to a heat exchanger or other similar device. The maximum weight of the actuator is not over 30 pounds, and the total weight of the actuator/valve assembly is no more than 250 pounds. The actuator and valve assembly must be in conformance with the drawings and specifications submitted with Watts Regulator Company's application on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

b. OPERATIONAL CONTROLS -

(1) Shipments are excepted from the requirements of subpart E (labeling) of part 172 of 49 CFR except when offered for transportation or transported by air.

(2) Shipments are excepted from the requirements of subpart F (placarding) of Part 172 of 49 CFR.

(3) Individual actuators, when shipped separately from the valve assembly, must be shipped in strong outside packaging.

(4) Each outside packaging containing an actuator or valve assembly must be marked "DOT-E 13102" as specified in § 172.301(c).

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 offered or reoffered for transportation.

c. Transportation of Division 2.1 (flammable gases) is not authorized aboard aircraft unless specifically authorized in the Hazardous Materials Table (§ 172.101).

- d. Prior to packaging for shipment, each actuator or actuator/valve assembly must be inspected for any defects that might compromise the integrity of the unit as a containment device for the specified hazardous material.
- e. Prior to charging the actuator with hazardous material, each actuator must be leak-tested as described in the application for exemption on file with OHMEA.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo aircraft only.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each aircraft 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:
- 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

OCT 19 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.

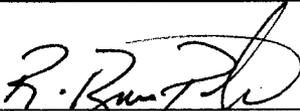
Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: sln

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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
Robicon, Inc. New Kensington, PA	Sep 22, 2004	OCT 19 2004	Sep 30, 2006



Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

OCT 19 2004

Date