

January 5, 2004



U.S. Department
of Transportation

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

**Research and
Special Programs
Administration**

DOT-E 13232

EXPIRATION DATE: November 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: CP Industries
McKeesport, PA
2. PURPOSE AND LIMITATIONS:
 - a. This exemption authorizes the manufacture, marking, sale and use of cylinders conforming with all regulations applicable to a DOT specification 3AA, 3AAX and DOT 3T cylinders except as specified herein, for the transportation in commerce of the materials authorized by this exemption. 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 consumer use, 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 §§ 178.37(k)(2)(i) and 178.45(j)(1) in that a cylinder tested using an alternative test method is not authorized except as specified herein.

5. BASIS: This exemption is based on the application of CP Industries dated April 11, 2003, 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	Identification Number	Packing Group
Materials authorized for transportation in a DOT Specification 3AA, 3AAX or 3T cylinders	2.1, 2.2, and 2.3	As appropriate	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT Specification 3AA, 3AAX or DOT 3T cylinders which may be tested using machined round tensile specimens, as defined in ASTM A370, in lieu of rectangular cross-section specimens.

(1) For a DOT Specification 3AA and 3AAX cylinder

(i) § 178.37(k)(2)(i) add the following to the last sentence "or largest obtainable size of round tension test specimen per ASTM A370, with a gage length not less than 4 times the specimen diameter."

(ii) § 178.37(1) add the following as a new last sentence "Minimum elongation requirement for round tension test specimens is 16%."

(2) For a DOT Specification 3T cylinder

(i) § 178.45(j)(1) add the following to the last sentence "or largest obtainable size of round tension test specimen per ASTM A370, with a gage length not less than 4 times the specimen diameter."

(ii) § 178.45(k)(2) add the following as a new last sentence "Minimum elongation requirement for round tension test specimens is 13%."

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

b. A person who is not a holder of this exemption, but 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 offered for transportation in conformance with this exemption and the HMR.

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

d. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.

e. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.

f. Each cylinder must be plainly and durably marked "DOT-E 13232" near the markings required in § 178.35(f).

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

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 copy of this

exemption to the air carrier before or at the time the shipment is tendered.

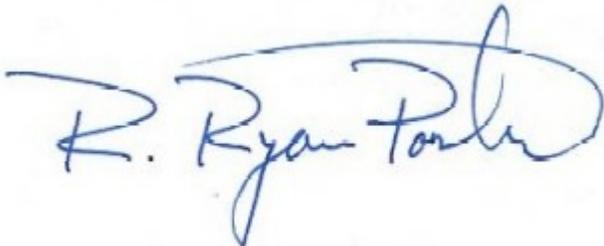
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
 - 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued in Washington, D.C.



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration,

Continuation of DOT-E 13232

Page 5
January 5, 2004

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: DB