U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

FEB 10 2005

DOT-E 7946
(NINTH REVISION)

EXPIRATION DATE: December 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Imaging & Sensing Technology Corporation
Horseheads, New York

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the manufacture, mark, sale, and use of non-DOT Specification containers described in paragraph 7 below 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.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subpart E (except when offered for transportation by air) and Subpart F of Part 172; Part 174 except § 174.24 and Part 177, except § 177.817; §§ 173.302a, 173.306(b)(4), and 175.3.

5. BASIS: This exemption is based on the application of Imaging & Sensing Technology Corporation dated January 17, 2005, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Argon, compressed	2.2	UN1006	N/A
Helium, compressed	2.2	UN1046	N/A
Nitrogen, compressed	2.2	UN1066	N/A
Xenon	2.2	UN2036	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a non-DOT specification, non-refillable packaging described as a radiation detector assembly, consisting of a stainless steel or aluminum pressure vessel with plugged and welded openings at both ends. The pressure vessel must have a maximum capacity of 70 cubic inches, and must be charged to a pressure not exceeding 160 psig at 70°F. The detector assembly must be designed and constructed in accordance with Imaging & Sensing Technology Corporation's application for exemption on file with the Office of Hazardous Materials Exemptions and Approvals. The burst to charged pressure ratio (safety factor) must not be less than 4 to 1 at 200° F.

b. TESTING - The sealing procedure must be proven by a leak test to at least 1-1/2 times the charge pressure. A leakage test on one out of each 100 pressure vessels is acceptable. A prototype testing of at least 3 representative samples is acceptable in lieu of lot testing.

c. OPERATIONAL CONTROLS -

(1) Radiation detectors must be shipped in strong outside packagings conforming to Imaging & Sensing Technology Corporation's Packaging Specifications that conform with MIL-PRF-23199/1 (SH) rev A.

(2) Shipments are not subject to 49 CFR Subpart E (except when offered for transportation by air) and F of Part 172; Part 174 except § 174.24; and Part 177, except § 177.817.

d. MARKING - Each outside packaging must be marked "DOT-E 7946".

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.

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

    - All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

    - 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.

    - 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: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for

Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:

FEB 1 0 2005

Date

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, 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: cwf/sln