U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DEC 1 7 2004

DOT-E 8472
(EIGHTH REVISION)

EXPIRATION DATE: November 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Ohmart/VEGA Corporation
Cincinnati, OH

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the use of non-DOT specification containers to transport Argon, compressed. 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 § 173.302a(a) in that a non-DOT specification container is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Ohmart/VEGA Corporation dated December 3, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Argon, compressed	2.2	UN1006	N/A

7. CONTROL MEASURES: Prescribed packaging is a non-DOT specification, metal, single trip, inside container, described as a detector or ionization chamber, having a design (operating) pressure of 300 psig and an 85 cubic inch maximum water capacity. The detector assembly must comply with drawing numbers C-32547 dated 6/8/78, C-36304 dated 6/2/80, C-24556 dated 4/21/76, and undated C- 20138, submitted with Ohmart Corporation's application on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). Also, detector assemblies identified as Model LN (Drawing D 22868, dated 4/16/74) and Model LNS (Drawing C-41129, dated 5/20/85) may be shipped under this exemption. The detector assemblies must be shipped in a suitably suspended and cushioned strong outside container. The design burst pressure of the detectors must be:

a. Three times the design pressure if equipped with a relief device; or

b. Four times the design pressure if not equipped with a relief device.

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 modification or change is made to the package or its contents 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.

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

10. MODAL REQUIREMENTS:

a. 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.

b. Except when offered for transportation by air;

(1) Packages covered by this exemption are excepted from the labeling requirements of 49 CFR Part 172.

(2) Shipments are not subject to the placarding requirements of Subpart F of 49 CFR Part 172.

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: 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.:

DEC 1 7 2004
(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: AM