U.S. Department
of Transportation
**Research and
Special Programs
Administration**

FEB 9 2001

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

DOT-E 10697
(SIXTH REVISION)

EXPIRATION DATE: **December 31, 2002**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Air Liquide America Corporation
Houston, TX

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain Division 2.1 gas mixtures in DOT Specification 3AAX steel cylinders. 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 § 173.301(d)(2) in that manifolding cylinders is not authorized except as specified herein; and § 173.302(a)(3) in that 3AAX cylinders are not authorized for the material listed in paragraph 6 below except as specified herein.

5. BASIS: This exemption is based on the application of Air Liquide America Corporation dated December 19, 2000, submitted in accordance with § 107.109, and an additional letter dated February 7, 2001.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Compressed Gases, flammable, n.o.s./Gas mixture consisting of up to 50% hydrogen with up to 75% carbon monoxide.	2.1	UN1054	N/A

7. SAFETY CONTROL MEASURES: Packaging prescribed is a DOT Specification 3AAX steel cylinder having a minimum service pressure of 2400 psi.

   a. Manifolding in accordance with § 173.301(d) is authorized.

   b. The mixture which must be dry and sulfur free may not exceed 2000 psig at 70°F.

8. SPECIAL PROVISIONS: A current copy of this exemption must be maintained at each facility where the cylinder is offered for transportation.

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:

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

   - 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.:

FEB 9 2001

For Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

(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.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: AM