JUN 5 1997

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

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

DOT-E 11889

EXPIRATION DATE: August 31, 1997

1. GRANTEE: Airgas, Inc. and Airgas Management, Inc.
259 Radnor-Chester Road
Radnor, PA

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

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of certain non-DOT specification cylinders containing a nonflammable liquefied gas, for consolidation at a single location for disposition. This exemption provides no relief from any regulation other than as specifically stated herein.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.3 and 173.304 in that non-DOT specification cylinders are authorized.

5. BASIS: This emergency exemption is based on the application of Airgas, Inc. and Airgas Management, Inc., dated May 19, 1997, submitted in accordance with 49 CFR 107.117 and the determination that it is necessary in order to protect life and property including the environment.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Refrigerant gas, n.o.s.	2.2	UN1078	n/a

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are approximately 7,000 30 lb. cylinders that appear to meet the DOT 39 specification required for refrigerant gases but have not been properly certified for transportation.

b. OPERATIONAL CONTROLS -

(i) The cylinders will be transported by exclusive use motor vehicles to a secured storage warehouse in Savannah, Georgia for disposition.

(ii) The cylinders must be overpacked in corrugated boxes. The corrugated boxes must be placed on pallets secured with plastic shrink-wrap.

8. SPECIAL PROVISIONS:

a. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

b . MARKING - Each pallet must be plainly and durably marked "DOT-E 11889".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A 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. Section 5101 et seq:

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

- o Registration required by 49 CFR 107.601 et seq., when applicable.

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. (49 CFR 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 incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

JUN 5 1997

Alan I. Roberts
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.

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