U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUL 9 2004

DOT-E 13291

EXPIRATION DATE: October 31, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Willy-EZ Products and Innovations, Inc.
Huntington Beach, CA

2. PURPOSE AND LIMITATIONS:

a. This emergency exemption authorizes the manufacture, mark, sale and use of a personal location marker device containing a limited quantity of compressed helium to be shipped by passenger carrying air in accordance with the provisions of 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 or other uses not associated with transportation in commerce.

c. This exemption does not preempt any requirement imposed by the Transportation Security Administration, Federal Aviation Administration or other governing agencies.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 175.10(a)(25) in that the cylinders are not fitted into a self-inflating life jacket.

5. BASIS: This emergency exemption is based on the application of Willy-EZ Products and Innovations, Inc. dated August 20, 2003, and a determination that it is necessary to prevent significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Helium compressed	2.2	UN1046	NA

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The prescribed packaging is a 95 cc helium cylinder conforming to Leland Limited drawing number 49615. The with a charged pressure of 2500 psi and a burst pressure of 7680 psi. The cylinder is packaged within a Sentinel of Security® personal location marker.

b. OPERATIONAL CONTROLS - With approval of the aircraft operator, a passenger or crew member may carry in checked or carry-on baggage one small, not more than 95 ccs, gas cartridge containing no hazardous material other than compressed helium. The cylinder must be fitted into a personal location marker device containing a self inflating balloon to serve as a personal location marker.

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. Each Sentinel of Security® personal location marker must be plainly and permanently marked "DOT-E 13291" on the exterior surface. In addition, the marking must include a warning statement requiring the passenger to obtain prior approval of the aircraft operator. The inner cylinder does not need to be marked with the DOT exemption number.

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: Passenger-carrying aircraft only.

10. MODAL REQUIREMENTS: None, other than as required by the HMR.

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 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.

JUL 9 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.

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