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

APR 29 1999

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

DOT-E 12157
(FIRST REVISION)

EXPIRATION DATE: **December 31, 2000**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Raytheon Systems Company
Fort Wayne, IN

(See Appendix A for additional list of grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain integral packaging, containing a limited quantity of carbon dioxide, used as an acoustic device, as essentially not subject to the regulations.

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, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Parts 171-180.

5. BASIS: This exemption is based on the application of Raytheon Systems Company dated September 22, 1998, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Not regulated as hazardous material			

7. SAFETY CONTROL MEASURES:

PACKAGING - A gas cylinder with a capacity of less than 2 cu. in. and charged with carbon dioxide is constructed in conformance with Mil-C-601G Type III dated June 30, 1971, attached as part of the application and detailed in drawings 902389, 813647 and 995374 on file with the Office of Hazardous Materials Exemptions and Approval (OHMEA). The gas cylinder is packaged inside a steel outer housing which is in turn packaged inside a heavy walled plastic launch container and sealed. The product (AN/SSQ-53E Sonobuoy) is to be used as an acoustic 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 modifications or changes are made to the package 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: Cargo aircraft only, and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard aircraft used to transport packages covered by this exemption. The shipper shall furnish a 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.

    - 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 at Washington, D.C.:

Ann Mazzullo

for Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

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(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.

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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, Washington, DC 20590-0001, Attention: Docket Section, 202-366-5046.

Dist: FAA
PO: sdc