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

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

DOT-E 12474
(FOURTH REVISION)

SEP 3 2002

EXPIRATION DATE: February 28, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Department of Defense
Fort Eustis, Virginia

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the one-time roundtrip transportation in commerce of nine (9) non-DOT specification cylinders containing a Division 2.2 compressed gas for a Department of Defense/Japan Defense Agency joint training exercise at the Yakima, Washington Training Center. This exemption provides no relief from any Hazardous Materials Regulation (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 § 172.301(c)in that the cylinders are not required to be marked with the exemption number; § 173.302(a) in that non-DOT specification cylinders are not authorized except as described herein.

5. BASIS: This exemption is based on the application of the Department of Defense dated June 26, 2002 submitted in accordance with § 107.109 and additional correspondence dated September 3, 2002.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Nitrogen, compressed	2.2	UN1066	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) Packagings prescribed are non-DOT specification cylinders manufactured in Japan and approved in accordance with Japanese High Pressure Gas Safety Law. The cylinders conform with the design calculations, drawings, material specifications, and engineering specifications submitted with the application for exemption on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

(2) Only cylinders with the following serial numbers are authorized:

Nitrogen Cylinders
Serial Number
3L 19581
3L 19582
3L 19583
3L 19584
3L 19585
3L 19587
3L 19588
3L 19589
3L 19590

(3) New construction is not authorized.

b. OPERATIONAL CONTROLS -

(1) Transportation is limited to a one-time roundtrip, per cylinder, from the Port of Tacoma, Washington to the Yakima Training Center, Yakima, Washington.

(2) Each cylinder must be packed in an aluminum box and secured to resin pallettes as shown on Figure 1 of the application for exemption on file with the OHMEA.

(3) Each outside packaging must be marked "INSIDE CONTAINERS CONFORM WITH DOT-E 12474".

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.

c. The marking requirement specified in § 172.301(c) is waived.

d. The non-DOT specification cylinders are limited to use in the joint training exercise at the Yakima, Washington Training Center described within the application for exemption on file with OHMEA.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel and 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.

- o 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.:

For Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

SEP 3 2002
(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.

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/CWF