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

DEC 30 1998

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

DOT-E 11626
(FIRST REVISION)

EXPIRATION DATE: November 30, 2000

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Sunrise Medical HHG, Incorporated
(Formerly: DeVilbiss Health Care, Inc.)
Somerset, Pennsylvania

2. PURPOSE AND LIMITATIONS:

a. This exemption authorizes the transportation in commerce of a non-DOT specification container (Pulsair.5) comparable to a DOT Specification 4L cylinder to be used for the shipment of Oxygen, refrigerated liquid. This exemption provides no relief from any regulation 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 Sections 173.316(c) in that the prescribed packaging is not listed as an authorized packaging; 178.57(d), 178.57(h), and 178.57(p), as modified herein.

5. BASIS: This exemption is based on the application of Sunrise Medical HHG, Incorporated letter dated September 24, 1998 submitted in accordance with 49 CFR 107.109 and supplemental letters dated December 8 and 11, 1998.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Oxygen, refrigerated liquid	2.2	UN1073	N/A

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a vacuum insulated non-DOT specification container (PULSAIR.5) conforming with Sunrise Medical HHG, Incorporated's drawing number 1091019 on file with the Office of Hazardous Materials Exemptions and Approvals, (OHMEA) and with the requirements for DOT Specification 4L cylinders (49 CFR 178.57) except as follows:

178.57(d) Manufacture.

(1) * * *

(2) Heads are convex to pressure. * * *

(3) Except sixth sentence is deleted and the fifth sentence is replaced by the following: Construction must be such that the total heat transfer, from the atmosphere at ambient temperature to the contents of the cylinder, will not exceed 0.017 Btu per hour, per Fahrenheit degree differential in temperature, per pound of water capacity of the cylinder.

* * *

178.57(h) Openings in cylinder.

(1) Openings shall not exceed one inch in diameter.

* * *

178.57(p) Marking.

(1) "DOT-E 11626" in lieu of "DOT-4L" followed by the service pressure.

b. TESTING - Each cylinder must be retested in accordance with the requirements for DOT Specification 4L cylinders.

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: Motor vehicle, rail freight and cargo vessel.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each cargo vessel 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, Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in 49 CFR 171.8 who performs a function subject to this exemption must receive training on the training on the requirements and conditions of this exemption in addition to the training required by 49 CFR 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. (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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued at Washington, D.C.

J. Suzanne Hedgepeth

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

DEC 30 1998
(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 beg obtained by the AAHMS, U.S. Department of Transportation, 400 7th Street, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

Dist: USCG, FHWA, FRA
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