



Research and Special Programs Administration APR 1 2 1901

DOT-E 10579

- 1. Tri-Gas, Incorporated, Jupiter, Florida, is hereby granted an emergency exemption from certain provisions of the Department's Hazardous Materials regulations to offer a non-DOT specification portable tank containing oxygen for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transportation of oxygen, nonflammable compressed gas in a non DOT specification portable tank which is out of retest, and provides no relief from any other regulation other than is specified herein.
- 2. <u>BASIS</u>. This exemption is based on Tri-Gas, Incorporated's application dated April 12, 1991, submitted in accordance with 49 CFR 107.113 and a determination that it is necessary for the protection of life.
- 3. <u>HAZARDOUS MATERIALS (Descriptor and class)</u>, Liquefied oxygen, classed as a nonflammable gas.
- 4. PROPER SHIPPING NAME: Oxygen, refrigerated liquid.
- 5. <u>REGULATION AFFECTED.</u> 49 CFR 173.315(a)(1), 173.32(e).
- 6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, cargo vessel.
- 7. <u>SAFETY CONTROL MEASURES</u>. Packaging authorized is a non-DOT specification portable tank manufactured by Minnesota Valley Engineering conforming to their design HLD-3084, Serial Number 170009-7 and in full conformance with the requirements prescribed in DOT-E 6299 (Third Revisions) (Corrected copy) except that the tank has not been retested as required by DOT-E 6299.
- 8. SPECIAL PROVISIONS.
 - a. All of the provisions of paragraph 8 of DOT-E 6299 are applicable to shipments made under this exemption.
 - b. A copy of DOT-E 6299, Third Revision, Corrected copy, must accompany the shipment made under this exemption.

- 9. <u>REPORTING REQUIREMENTS:</u> Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable.
- 10. <u>EXPIRATION DATE.</u> May 17, 1991.

Issued at Washington, D.C.

APR | 2 1991

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, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: FHWA, USCG.