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

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

DOT-E 12575

EXPIRATION DATE: December 31, 2000

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Carrib Supply of St. Croix, Inc.
Christiansted, St. Croix, U.S. Virgin Island

(See Appendix A to this exemption for additional grantees)

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time, round-trip transportation in commerce of oxygen, refrigerated liquid, in one specifically identified vacuum-insulated, non-DOT specification portable tank. 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.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.318 and 176.76(g)(1) in that a non-DOT specification packaging is not authorized, except as specified herein.

5. BASIS: This emergency exemption is based on the application of Carrib Supply dated November 3, 2000, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Oxygen, refrigerated liquid (cryogenic liquid)	2.2	UN1073	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is one vacuum-insulated, non-DOT specification portable tank bearing owners serial number VIGU 860006-6 and manufacturers serial number 5044-5. The portable tank is enclosed in an ISO type frame and has a design pressure of 265 psig. Design temperature is -320 degrees F for the inner tank and any part, valve or fitting that may come in contact with the lading. Gross volume of the tank is 3745 gallons (U.S.). Tank material is SA 240 Type 304 stainless steel for the inner tank and high strength carbon steel for the outer jacket casing.

b. OPERATIONAL CONTROLS -

(1) The portable tank must be loaded and shipped as required in § 173.318 for cargo tanks and as applicable for the lading.

(2) The rated holding time for the portable tank must be determined in accordance with one of the procedures specified in § 178.338-9. The Marked Rated Holding Time (MRHT), in hours, displayed on or adjacent to the specification plate, may not exceed the rated holding time.

(3) A portable tank may not be offered for transportation by cargo vessel unless the pressure of the lading in the tank is equal to or less than that used to determine the MRHT, and the one way travel time (OWTT) is equal to or greater than the elapsed time expected between the start and termination of travel. The OWTT is determined from the formula: OWTT = MRHT - 24. The OWTT must be marked on the shipping paper and on the vessel's dangerous cargo manifest immediately after the container description.

(4) A written record of the portable tank's pressure and ambient (outside) temperature at the following times must be prepared for each shipment.

(i) At the start of each trip;

(ii) Immediately before and after any manual venting;

(iii) At least every 24 hours; and

(iv) At the destination point.

(5) Any road relief valve set at a pressure lower than that prescribed for the pressure (safety) relief valve must be closed during transportation by cargo vessel, unless the rated holding time was determined based on the setting of the road relief valve.

(6) The portable tank must be stowed in accordance with § 176.76(h)(4). The portable tank may not be overstowed with other containers or freight.

(7) The Coast Guard captain of the port must be notified 24 hours in advance of shipments by water.

(8) Transportation of the portable tank authorized by this exemption is limited to one round-trip shipment originating in Jupiter, Florida, via motor vehicle and cargo vessel through the Port of Palm Beach, Florida to St. Martin and Antigua and return.

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 modification or change is made to the package or its contents and it is reoffered for transportation in conformance wit 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. MARKING - The portable tank must be plainly marked on both sides near the middle, in letters at least two inches (2) inches high on a contrasting background, "DOT-E 12575".

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

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

- 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.

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Issued in Washington, D.C.:

11/6/00
(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, U.S. Department of Transportation, 400 Seventh Street, SW, 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.

PO: CHHOCHMAN