



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

## RSPA-97-2667-2

DOT-E 11955

EXPIRATION DATE: December 19, 1997

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Scott Aviation  
Lancaster, New York
2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce, by motor vehicle only, of chemical oxygen generators which utilize a special protective cover as a secondary means of preventing actuation. It also serves as an approval as required by Special Provision 60. This exemption provides no relief from any regulation other than as specifically stated herein.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 172.102(c)(1), Special Provision 60 regarding the requirement for two independent means (non-packaging) of preventing actuation.
5. BASIS: This emergency exemption is based on the applications of Scott Aviation dated September 10, 1997, submitted in accordance with 49 CFR 107.117, and a determination that it is necessary to preclude a serious economic loss.

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6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Oxygen generator, chemical	5.1	UN3356	II

7. SAFETY CONTROL MEASURES AND PACKAGING:

a. SAFETY CONTROL MEASURES: Only oxygen generators that are authorized by the Associate Administrator to be described as "Oxygen generator, chemical, 5.1, UN3356" may be transported under the terms of this exemption.

b. Testing: Each oxygen generator, without packaging, must be capable of withstanding a 1.8 meter drop onto a rigid, non-resilient, flat and horizontal surface, in the position most likely to cause damage, with no loss of contents or actuation.

c. Packaging for Transportation by Motor Vehicle: (i) Each oxygen generator must be equipped with a ridged protective cover that fully encloses the actuating mechanism of the oxygen generator in a manner that locks in place the actuation mechanism's safety pin; and

(ii) The oxygen generator with its protective cover must be packaged in accordance with 49 CFR § 173.212.

8. SPECIAL PROVISIONS:

a. A copy of this exemption must be maintained at each facility from which shipments of oxygen generators are offered for transportation under the terms of this exemption.

b. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current

from which such reoffering occurs.

c. Marking Requirements: (i) Each package, and overpack if used, prepared under the provisions of paragraph 7.c. must be plainly marked with the exemption number and the following statement:

THIS PACKAGE IS NOT AUTHORIZED FOR TRANSPORTATION  
ABOARD AIRCRAFT

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: No modal specific requirements are required 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:
  - o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Registration required by 49 CFR 107.601 et seq., when applicable.

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.

Each "Hazmat employee", as defined in 49 CFR 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 49 CFR 172.700 through 172.704.

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 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.:



SEP 29 1997

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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.

The original of this exemption is on file at the above office.  
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