

December 6, 2006



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14407

EXPIRATION DATE: November 30, 2008

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: ITW Sexton
Decatur, AL 35603
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, marking, sale and use of a non-DOT specification non-refillable foam-filled cylinder conforming with all regulations applicable to a DOT specification 39 cylinder, except as specified herein, for the transportation in commerce of the materials authorized by this special permit. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit 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 §§ 173.304a, 173.304a(d)(3) and 175.3 in that the use of a non-DOT specification package is not authorized, except as specified herein and § 178.65(f)(2)(iii) in that failure of a cylinder in the mechanical seam during a leakage test is not authorized, except as specified herein.

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5. BASIS: This special permit is based on the application of ITW Sexton dated September 21, 2006, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Petroleum gases, liquefied or Liquefied petroleum gas	2.1	UN1075	N/A
Methyl acetylene and propadiene mixtures, stabilized	2.1	UN1060	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification, non-refillable steel cylinder consisting of a seamless shell with the bottom attached by a mechanical seam. Construction must be in conformance with Sexton Can Company's drawings 995D0029 dated September 14, 2006 on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). The finished cylinder will contain a block of reticulated polyurethane foam that approximately fills the inside void of the cylinder and absorbs the gas into its cell structure. Each cylinder must be in conformance with the General Requirements for Specification Cylinders (§ 178.35) and DOT Specification 39 (§ 178.65) except as follows:

§ 178.35(e) *Pressure relief devices*

The pressure relief system consists of a localized area of the bottom designed to fail at a minimum pressure of 315 psig and a maximum pressure of 480 psig. One cylinder must be taken at the beginning of production of each lot and pressurized until the relief system functions. If the system fails to function between 315 and 480 psig the lot represented by the test must be rejected.

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§ 178.35(g) Inspector's report

Add. The report may be modified to accommodate the deviations from DOT Specification 39 that are authorized herein.

§ 178.65(a) *Type, size, service pressure and test pressure.*

Each cylinder must be constructed of steel and have a seamless cylindrical body with bottom attached by means of a circumferential mechanical joint. The maximum service pressure is 240 psig.

- (1) Water capacity must not exceed 7.25 fluid ounces (13.08 cubic inches).
- (2) Minimum test pressure must be 300 psig.
- (3) * * *

§ 178.65(c) *Manufacture.*

- (1) * * *
- (2) Requirements for mechanical seam: Mechanical joints must have strength equal to or greater than the minimum strength of the shell material in the finished cylinder.

§ 178.65(d) *Wall Thickness.*

Applies except that wall thickness less than 0.010 inch is not authorized.

§ 178.65(f) *Pressure tests.*

- (1) Applies except that each cylinder must be tested at an internal pressure of at least 300 psig.
- (2) * * *
 - (i) * * *

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(ii) A failure initiates in a mechanical joint.

* * * * *

§ 178.65(i) *Markings.*

(1) ***

(2) Applies except the cylinder must be marked "DOT-SP 14407" instead of "DOT-39".

b. OPERATIONAL CONTROLS -

(1) Filling density must be in accordance with §§ 178.304a and § 178.304(d).

(2) The cylinder must be shipped in strong outside packagings in accordance with § 178.301(a)(9).

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modification or change is made to the package and it is offered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

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- e. A current copy of this special permit must be maintained at each facility where the package is manufactured under this special permit. It must be made available to a DOT representative upon request.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, and cargo aircraft only.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - 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 special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special

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permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: BMoore