

February 26, 2007



U.S. Department  
of Transportation

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

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 14440

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of Division 2.1 aerosols in certain non-refillable containers which have been tested by an alternative method in lieu of the hot water bath test. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce. The safety analysis did not consider the hazards and risks associated with consumer use or other uses not associated with transportation in commerce.
  - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.306(a)(3)(v) in that the prescribed hot water bath test is replaced by an alternative test method authorized herein.
5. BASIS: This special permit is based on the application of Aiolos Laboratories AB dated November 21, 2006 submitted in accordance with § 107.105 and the public proceeding thereon.

**February 26, 2007**6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Aerosols, flammable, (each not exceeding 1 L capacity)	2.1	UN1950	N/A
Consumer commodity	ORM-D	None	N/A

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - Packaging prescribed is a metal, non-refillable container that meets all requirements of § 173.306(a)(3) except for the hot water bath test requirements of § 173.306(a)(3)(v) and the marking requirements of § 173.306(a)(3)(vi). The pressure in the container must not exceed 140 psig at 130°F.
- b. OPERATIONAL CONTROLS - Prescribed containers may be transported under the provisions of § 173.306(a).
- c. TESTING -
- (1) Each filled container must be weighed. Any container exceeding the target weight specified and documented by Aiolos Laboratories in the application for special permit on file with the Office of Hazardous Materials Special Permits and Approvals must be rejected.
  - (2) Each filled container must be visually inspected prior to being double bagged in heat-sealed plastic bags. Any container showing evidence of leakage, distortion, or other defect must be rejected.
  - (3) At intervals of not more than 10 minutes, one container randomly selected from the filling line must be inspected for proper closure and verification of its filling pressure. If the container shows evidence of improper closure or over-filling, an additional five (5) randomly selected containers must be subjected to

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these verifications. If any of the additional five containers do not pass the verifications, all containers produced since the last successful verifications must be rejected.

(4) One container randomly selected out of each lot of 300 containers successively filled for shipment must be heated until the pressure in the container is equivalent to the equilibrium pressure of the contents at 130°F. If the pressure in this test container exceeds 140 psig or the test container shows evidence of leakage, distortion, or other defect, the lot must be rejected. Alternatively, an additional five (5) randomly selected containers may be tested to qualify the lot. If all five containers pass the test, the lot may be shipped. If any of the five containers fail the test, the entire lot must be rejected.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit 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 with this special permit and the HMR.

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

c. MARKING -

(1) Each container must be marked "DOT-SP 14440".

(2) Each outside packaging must be marked "INSIDE CONTAINERS COMPLY WITH DOT-SP 14440".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo-only aircraft, and passenger-carrying aircraft.

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10. MODAL REQUIREMENTS: There are no modal specific requirements associated with this special permit.
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 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, in writing, of any incident

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involving a package, shipment or operation conducted under  
terms of this special permit.

Issued in Washington, D.C.:



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for Bob Richard  
Deputy 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](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm).  
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PO: SWF/AM