

September 15, 2010



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 13577
(FOURTH REVISION)

EXPIRATION DATE: March 31, 2014

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Air Liquide America Speciality Gases
(Formerly: Scott Specialty Gases)
Plumsteadville, PA
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of a Division 2.2 material as a limited quantity in certain non-DOT specification inside metal containers conforming with all requirements applicable to a DOT Specification 2Q inner non-refillable metal receptacle, except as specified herein. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - 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, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.306(a)(3)(ii) in that a non-DOT specification inside metal container is not authorized except as specified herein and that authorized pressures are exceeded; and § 173.306(a)(3)(v) in that alternative testing may be performed in lieu of the hot water bath test.
5. BASIS: This special permit is based on the application of Air Liquide America Speciality Gases dated March 30, 2010, submitted in accordance with § 107.109 and additional information dated September 15, 2010.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
1,1,1,2-Tetrafluoroethane or Refrigerant gas, R134a	2.2	UN3159	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification inside metal container not exceeding one liter capacity. Containers must conform with Bruin Engineered Parts Inc. drawings F0863A or C1102 on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). Each container must be in conformance with all requirements of DOT specification 2Q (§ 178.33a) except as follows:

§ 178.33a-8 Tests.

(a) One out of each lot of 25,000 containers or less, successively produced per day, shall be pressure tested to destruction and must not burst below 600 psig. The container tested shall be complete with end assembled.

(b) * * *

§ 178.33a-9 Marking.

(a) * * *

(1) "DOT-SP 13577" in place of "DOT 2Q".

(2) * * *

b. TESTING -

(1) Each completed container must be tested in accordance with the hot water bath requirements of § 173.306(a)(3)(v); or

(2) Each completed container must be raised to a pressure that is at least equivalent to the equilibrium pressure of the lading at 130°F. The lading equilibrium pressure may not exceed 210 psig at 130°F. The container must be submerged in a bubble solution and visually inspected for leaks. Any containers showing evidence of leakage, distortion, or other defect must be rejected.

c. OPERATIONAL CONTROLS - Prescribed packaging must be prepared and shipped in accordance with § 173.306(a) except as follows:

(1) The pressure in the container may not exceed 210 psig at 130°F.

(2) The liquid content of the lading may not completely fill the container at 130°F.

(3) The container must be packed in a strong outside packaging as prescribed in § 173.301(a)(9).

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 and it is reoffered for transportation in conformance with this special permit and the HMR.

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

c. Each outside packaging must be marked "INSIDE CONTAINERS COMPLY WITH DOT-SP 13577".

d. Containers filled with a material meeting the definition of a "consumer commodity" in § 171.8 may be reclassified as an ORM-D and shipped as "consumer commodity" in accordance with § 173.306(i). These outside packagings are not required to be marked "INSIDE CONTAINERS COMPLY WITH DOT-SP 13577" as specified in paragraph 8.c. of this special permit.

e. Test data obtained under § 178.33a-8 Tests must be kept on file and be made available upon request by the OHMSPA. Additionally, the following information must be submitted to OHMSPA:

(1) Burst test results for the first 20 lots tested under the provisions of this special permit.

(2) Lading temperature and pressure test data for the first 20 lots to verify that each completed container has been heated until the pressure in the container is equivalent to the equilibrium pressure of the contents at 130°F without evidence of leakage, distortion, or other defect and that the pressure in the container does not exceed 210 psig at 130°F. A description of the quality assurance controls used to ensure compliance with the requirements of paragraph 7.b. of this special permit.

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.

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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

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materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety -- OHMSPA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:

A handwritten signature in blue ink that reads "Aiane LaValle". The signature is written in a cursive style.

for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials 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: ew