

October 20, 2020



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 20638
(FIRST REVISION)

EXPIRATION DATE: 2024-09-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Ball Metalpack LLC
Westminster, CO
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, marking, sale, and use of non-DOT specification containers conforming with all regulations applicable to a DOT specification 2P, 2P1, or 2Q inner metal receptacle except for wall thickness, for the transportation in commerce of certain Division 2.1 and 2.2 aerosols. 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. In accordance with 49 CFR 107.107(a), party status may not be granted to a manufacturing permit. These packagings may be used in accordance with 49 CFR 173.22a.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

October 20, 2020

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.306(a)(3) in that non-DOT specification receptacles are not authorized, except as provided herein.
5. BASIS: This special permit is based on the application of Ball Metalpack LLC dated October 9, 2020 and submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Aerosols, flammable, (each not exceeding 1 L capacity)	2.1	UN1950	N/A
Aerosols, non-flammable, (each not exceeding 1 L capacity)	2.2	UN1950	N/A
Compressed gas, n.o.s.	2.2	UN1956	N/A
Consumer commodity	ORM-D	N/A	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING: The prescribed packaging is a non-DOT specification Drawn & Wall Ironed (DWI) Integral Dome 2 Piece steel non-refillable inside container that conforms to Ball Metalpack LLC's drawing on file with the Office Hazardous Materials Safety Approvals and Permits Division (OHMSAPD) and all regulations applicable to the DOT-2P, 2P1 or 2Q specification, except for the following:

DOT-2P:

§ 178.33-5 *Material*.

(a) Uniform quality steel manufactured in accordance with the Type L Cast Composition, which is detailed in the ASTM A623-16 Standard titled "Standard Specification for Tin Mill Products, General Requirements".

October 20, 2020

§ 178.33-6 *Manufacture.*

(a) Containers are manufactured in accordance with the methods detailed in the special permit application on file with the OHMSAPD.

§ 178.33-7 *Wall thickness.*

(a) The minimum wall thickness for any container shall be 0.005 inch.

§ 178.33-9 *Marking.*

(a) * * *

(1) In lieu of "DOT-2P", the special permit number and the minimum wall thickness must be displayed using the following format:

"DOT-SP 20638"
"0.005 inch"

DOT-2Q:

§ 178.33a-5 *Material.*

(a) Uniform quality steel manufactured in accordance with the Type L Cast Composition, which is detailed in the ASTM A623-16 Standard titled "Standard Specification for Tin Mill Products, General Requirements".

§ 178.33a-6 *Manufacture.*

(a) Containers are manufactured in accordance with the methods detailed in the special permit application on file with the Office of Hazardous Materials Special Permits & Approvals.

§ 178.33a-7 *Wall thickness.*

(b) The minimum wall thickness for any container shall be 0.006 inch.

October 20, 2020

§ 178.33a-9 *Marking.*

(b) * * *

(1) In lieu of "DOT-2Q", the special permit number and the minimum wall thickness must be displayed using the following format:

"DOT-SP 20638"
"0.006 inch"

b. OPERATIONAL CONTROLS:

(1) Until December 31, 2020, containers filled with a material meeting the definition of a "consumer commodity" in § 171.8 may be renamed "consumer commodity", reclassified as an ORM-D material and transported in accordance with § 173.306(i)(2). The outside packagings are not required to be marked "INSIDE CONTAINERS COMPLY WITH DOT-SP 20638".

(2) Containers authorized under this special permit may be transported as limited quantities in accordance with § 173.306(i). The outside packagings are not required to be marked "INSIDE CONTAINERS COMPLY WITH DOT-SP 20638".

8. SPECIAL PROVISIONS:

a. Each new container design must be subjected to drop and body wall abuse testing. The sample size for each test must be no less than 25 containers. Containers subjected to drop testing must be charged to a pressure of 130 psig and must withstand, without any evidence of leakage, drops from at least a 1 meter height. Prior to wall abuse testing, DOT-2P/2P1 containers must be charged to a pressure of 150 psig and DOT-2Q containers must be charged to a pressure of 170 psig. Containers subjected to body wall abuse testing must absorb a minimum energy intensity of 70 kilojoules per square meter without evidence of leakage. The impact striker must be designed in accordance with the application on file with the OHMSAPD.

b. Burst test data from testing performed in accordance with §§ 178.33-8 and 178.33a-8 must be submitted to the OHMSAPD on the first 20 lots of containers.

October 20, 2020

- c. 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.
- d. A person who is not a holder of this special permit, but receives a packaging covered by this special permit, may reoffer it for transportation provided no modification or change is made to the packaging and it is offered for transportation in conformance with this special permit and the HMR.
- e. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
- f. 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.
- g. A current copy of this special permit must be maintained at each facility where the packaging is manufactured under this special permit. It must be made available to a DOT representative upon request.
- h. Each container must be packed in a strong outside packaging as prescribed in § 173.301(a)(9).
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, passenger-carrying aircraft, and cargo-only aircraft.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle, cargo vessel and aircraft used to transport packages covered by this special permit. The shipper must furnish a current copy of this exemption to the air carrier before or at the time the shipment is tendered.

October 20, 2020

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

October 20, 2020

this special permit must notify the Associate Administrator for Hazardous Materials Safety -- APD, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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: Andrew Eckenrode/BMoore