

October 25, 2018



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 20704

EXPIRATION DATE: 2020-09-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Ball Aerosol and Specialty Container Inc.
Tallapoosa, GA
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, mark, sale and use of a non-DOT specification inner container, which conforms to all regulations applicable to a DOT specification 2P inner container, 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. 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.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 178.33-9(a) in that each container must be marked with "DOT-2P" and the name or symbol of the person making the DOT-2P marking, except as specified herein.
5. BASIS: This special permit is based on the application of Ball Aerosol and Specialty Container Inc. dated August 13, 2018, 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
Aerosols, flammable, (each not exceeding 1 L capacity)	2.1	UN1950	N/A
Consumer commodity	ORM-D	N/A	N/A

7. SAFETY CONTROL MEASURES:
- a. PACKAGING: Each non-DOT specification container must conform to all requirements for a DOT specification 2P inner container in 49 CFR 178.33, except that the container is not marked in accordance with 49 CFR 178.33-9(a).
- b. TESTING: Containers must have passed the tests specified in 49 CFR 178.33-8.
- c. OPERATIONAL CONTROLS:
- (1) Only 67,640 non-DOT specification inner containers already filled with hazardous materials may be transported under the terms of this special permit. The cans are those with can code 32001500 manufactured in lot numbers 20180531 and 20180620.
- (2) New manufacture of containers is not authorized.
- d. The containers must be packaged in strong outer packagings.

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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. Non-DOT specification containers specified in this special permit are authorized to be transported as limited quantities in accordance with 49 CFR 173.306(i)(1) and, if containing a material that meets the definition of "Consumer commodity" in 49 CFR 171.8 and reclassified as ORM-D, transported as a "Consumer commodity" in accordance with 49 CFR 173.306(i)(2).
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by 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.

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- 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 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.

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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: BenMoore