

DOT Special Permit 11186

Date 06/19/08

Employee Orlando Gutierrez

Instructor and location Gregory P. Barnett - Miami

DOT Special Permit 11186 Questions

1. Does your facility have a current copy of this Special Permit?
yes
2. What is the expiration date of this Special Permit?
4 years April 30, 2009
3. Does the DOT-SP 11186 number need to be entered on the shipping paper in association with the proper shipping name?
yes
4. Do you have to provide a copy of this Special Permit if transported by highway? yes By water? yes By Air? no By Rail? no
5. What company is the Grantee of this Special Permit?
Chart
6. What cryogenic products can be loaded into this Special Permit container?
Page 2
7. Explain the term One Way Travel Time (OWTT)?
Determined by the Formula
8. Is the OWTT required to be entered on the hazardous material shipping paper?
yes
9. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)?
yes
10. Is the DOT-SP 11186 number required to be displayed on the container?
yes

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 66 OF 114



**HM 126f
Certification of Training**

Hazmat Employee's Name: John Hernandez

Date of Hazmat Training: June 20, 2008

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

John Hernandez

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHM Southern Region
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 62 OF 114

**Certification of Training
Special Permit PowerPoint Presentation Test**

Hazmat employee's name: John A. HERNANDEZ
Miami, FL - H23

Date of hazmat training: "6/19/08"

Name and address of the person providing the training:
Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.
- HM126 Manual - Hydrotesting Manual
- HM126 Learning - DRIVER TRAINING MANUAL
2. True or False - the term DOT Exemption and DOT Special Permit mean the same.
3. What division of the Department of Transportation (DOT) issues Special Permits.
PHMSA
4. True or False - you can download copies of Special Permits from the DOT's web site.
5. As of May 2008 how many different DOT Special Permits have been issued?
14,400
6. True or False - since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements.
7. True or False - unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 75
PAGE NUMBER: 68 OF 114

8. True or False – a cylinder, tube trailer, container, etc. that is operated under a Special Permit must be marked with the SP number.

9. True or False – a copy of the Special Permit must be kept at the location that offers the product for transportation.

10. True or False – depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier.

11. True or False – the Special Permit may restrict the products in the container.

12. When a Special Permit is renewed, how many years is it renewed for?
2 years / 4 years
1st Time / There After

13. True or False – a Special Permit may limit the amount of time a product can be stored/transported in a container.

14. Explain a Manufacture, mark and sale Special Permit.

Give permission to put a Hazardous material in a container & ship it.

15. Explain a Users Special Permit.

Allows the user of a "DOT" specification container to perform a task not Auth by Regulations

16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

7835 12391
14494

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name)

John A. Hernandez

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 69 OF 114

DOT Special Permit 11186

Date 6.19.08
Employee John A. Hernandez
Instructor and location Gregory P. Barnett - Miami - H23

DOT Special Permit 11186 Questions

1. Does your facility have a current copy of this Special Permit? YES
2. What is the expiration date of this Special Permit? APRIL 30, 2009
3. Does the DOT-SP 11186 number need to be entered on the shipping paper in association with the proper shipping name? YES
4. Do you have to provide a copy of this Special Permit if transported by highway? Yes By water? Yes By Air? NO By Rail? NO
5. What company is the Grantee of this Special Permit? CHART
6. What cryogenic products can be loaded into this Special Permit container? LISTED ON PG #2
7. Explain the term One Way Travel Time (OWTT)? Determined by the Formula
8. Is the OWTT required to be entered on the hazardous material shipping paper? YES
9. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)? YES
10. Is the DOT-SP 11186 number required to be displayed on the container? YES

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 75
PAGE NUMBER: 70 OF 119



**HM 126f
Certification of Training**

Hazmat Employee's Name: Rita Garcia

Date of Hazmat Training: June 19, 2008

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

Rita Garcia

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 71 OF 114

Certification of Training
Special Permit PowerPoint Presentation Test

Hazmat employee's name: Bita M. Garcia
Miami, FL

Date of hazmat training: 6/19/08

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.

HM 126F manual, HM 126F Learning program,
Hydrotesting manual, Driver training Man

2. True or False - the term DOT Exemption and DOT Special Permit mean the same.

3. What division of the Department of Transportation (DOT) issues Special Permits.

PHMSA

4. True or False - you can download copies of Special Permits from the DOT's web site.

5. As of May 2008 how many different DOT Special Permits have been issued? 14,400

6. True or False - since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements.

7. True or False - unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 72 OF 114

8. True or False - a cylinder, tube trailer, container, etc that is operated under a Special Permit must be marked with the SP number.

9. True or False - a copy of the Special Permit must be kept at the location that offers the product for transportation.

10. True or False - depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier.

11. True or False - the Special Permit may restrict the products in the container.

12. When a Special Permit is renewed, how many years is it renewed for? *2 & 4 years*

First & second time

13. True or False - a Special Permit may limit the amount of time a product can be stored/transported in a container.

14. Explain a Manufacture, mark and sale Special Permit.

Outside is a special permit the cylinder or container

15. Explain a Users Special Permit.

allows DOT specification or times to perform a task not authorized the manufacturer, mark, sale and use.

16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

SP 13835, SP 11186, SP 12391

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name)

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION

REPORT NUMBER: 08462028

EXHIBIT NUMBER: 33

PAGE NUMBER: 23 OF 114

DOT Special Permit 11186

Date 6/19/08
Employee Rita M. Garcia
Instructor and location Gregory P. Barnett - Miami

DOT Special Permit 11186 Questions

1. Does your facility have a current copy of this Special Permit? Yes
2. What is the expiration date of this Special Permit? 4/30/2009
3. Does the DOT-SP 11186 number need to be entered on the shipping paper in association with the proper shipping name? Yes
4. Do you have to provide a copy of this Special Permit if transported by highway? By water? By Air? not By Rail? not
5. What company is the Grantee of this Special Permit? Chart Ind.
6. What cryogenic products can be loaded into this Special Permit container?
Argon, Carbon Dioxide, Ethane, Ethylene, Helium, Methane, Nitrogen, Nitrous Oxide, Oxygen, Oxygen Liquid
7. Explain the term One Way Travel Time (OWTT)?
Determined by a formula
8. Is the OWTT required to be entered on the hazardous material shipping paper? Yes
9. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)? Yes
10. Is the DOT-SP 11186 number required to be displayed on the container?
Yes

U.S. DOT / PHMSA / OHM SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 33
PAGE NUMBER: 74 OF 114



**HM 126f
Certification of Training**

Hazmat Employee's Name: Oscar Gutierrez

Date of Hazmat Training: June 19, 2008

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

**Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144**

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

Oscar Gutierrez

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHSU SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 75 OF 114

**Certification of Training
Special Permit PowerPoint Presentation Test**

Hazmat employee's name: Osben Gutierrez
Miami, FL

Date of hazmat training: 6/19/08

Name and address of the person providing the training:
Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.
*HM-126 MANUAL - HM126F REACTIVE PROGRAM
HYDROTESTING MANUAL - DANGER TESTING MANUAL*
2. True or False - the term DOT Exemption and DOT Special Permit mean the same.
3. What division of the Department of Transportation (DOT) issues Special Permits. *PHMSA*
4. True or False - you can download copies of Special Permits from the DOT's web site.
5. As of May 2008 how many different DOT Special Permits have been issued? *14,400*
6. True or False - since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements.
7. True or False - unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 15
PAGE NUMBER: 76 OF 114

8. True or False – a cylinder, tube trailer, container, etc that is operated under a Special Permit must be marked with the SP number.

9. True or False – a copy of the Special Permit must be kept at the location that offers the product for transportation.

10. True or False – depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier.

11. True or False – the Special Permit may restrict the products in the container.

12. When a Special Permit is renewed, how many years is it renewed for? 2 year / 4 years

13. True or False – a Special Permit may limit the amount of time a product can be stored/transported in a container.

14. Explain a Manufacture, mark and sale Special Permit.

~~DOT specification and label~~
IS A Special Permit outside the cylinder or container

15. Explain a Users Special Permit.

~~DOT specification and label~~

16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

14494 - 123-91-7835

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name) OSCAR GUTIERREZ

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHM'S SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 38
PAGE NUMBER: 77 OF 114

DOT Special Permit 11186

Date 6/09/08
Employee OSCAR COFFMAN
Instructor and location Gregory P. Barnett - Miami

DOT Special Permit 11186 Questions

1. Does your facility have a current copy of this Special Permit? YES
2. What is the expiration date of this Special Permit?
April 30/2009 ~~4/30/08~~
3. Does the DOT-SP 11186 number need to be entered on the shipping paper in association with the proper shipping name?
YES
4. Do you have to provide a copy of this Special Permit if transported by highway? yes By water? yes By Air? NO By Rail? NO
5. What company is the Grantee of this Special Permit?
CHART
6. What cryogenic products can be loaded into this Special Permit container?
PAGE NUMBER 2
7. Explain the term One Way Travel Time (OWTT)?
Determine by formula
8. Is the OWTT required to be entered on the hazardous material shipping paper?
YES
9. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)? YES
10. Is the DOT-SP 11186 number required to be displayed on the container?
YES

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 33
PAGE NUMBER: 78 OF 114



**HM 126f
Certification of Training**

Hazmat Employee's Name: Don Goldschmidt

Date of Hazmat Training: June 19, 2008

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

**Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144**

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

Don Goldschmidt

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHM E SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 79 OF 114

Certification of Training
Special Permit PowerPoint Presentation Test

Hazmat employee's name: Don Goldschmidt
Miami, FL

Date of hazmat training: 6/19/08

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.

HMI 26P

HYDROTEST MANUAL

HULL 26P ELECTRICAL DIAL

DRIVER MANUAL (TRAINING INSTITUTE MANUAL)

2. True or False – the term DOT Exemption and DOT Special Permit mean the same. *T*

3. What division of the Department of Transportation (DOT) issues Special Permits. *PHMSA PIPELINE & HAZARDOUS MATERIAL SAFETY ADMINISTRATION*

(PHMSA)

4. True or False – you can download copies of Special Permits from the DOT's web site. *T*

5. As of May 2008 how many different DOT Special Permits have been issued? *14,400*

6. True or False – since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements. *T*

7. True or False – unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name. *T*

U.S. DOT / PHMSA / OHRM SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 15
PAGE NUMBER: 30 OF 114

8. True or False - a cylinder, tube trailer, container, etc that is operated under a Special Permit must be marked with the SP number. T

9. True or False - a copy of the Special Permit must be kept at the location that offers the product for transportation. T

10. True or False - depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier. T

11. True or False - the Special Permit may restrict the products in the container. T

12. When a Special Permit is renewed, how many years is it renewed for? 4 YRS

13. True or False - a Special Permit may limit the amount of time a product can be stored/transported in a container. T

14. Explain a Manufacture, mark and sale Special Permit.

MAN AND SALE USE OF A NON DOT SPECIFICATION CONTAINER,
HANDLED AS SP CONTAINER DOT SPECIFICATION CONTAINER
DOES NOT REQUIRE GUARANTEE EXEMPTION STATUS

15. Explain a Users Special Permit.

ALLOWS USER OF DOT SPECIFICATION CONTAINER TO PERFORM TASK
NOT AUTHORIZED BY THE REGULATIONS ALLOWS PARTY EXEMPTION STATUS

16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

SP 7835 - POISON A. SP - 12391 - GYL. MAN. PERM TO 1945
SP 11186 - HCL338 EDGEO TANK SP - 9419 - N₂T - 3AL

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name)

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 38
PAGE NUMBER: 31 OF 114

DOT Special Permit 11186

Date 6/19/08

Employee DON GOLOSEH MIOT

Instructor and location Gregory P. Barnett - Miami

DOT Special Permit 11186 Questions

1. Does your facility have a current copy of this Special Permit? YES
2. What is the expiration date of this Special Permit? APRIL 30, 2009
3. Does the DOT-SP 11186 number need to be entered on the shipping paper in association with the proper shipping name? YES
4. Do you have to provide a copy of this Special Permit if transported by highway? YES By water? YES By Air? NO By Rail? NO
5. What company is the Grantee of this Special Permit? CHART INC
6. What cryogenic products can be loaded into this Special Permit container?
REFRIGERATED LIQUID LAR, LOX, LEO, HELIUM, LIN
METHANE, ETHYLENE OXIDE
7. Explain the term One Way Travel Time (OWTT)? By water only
A WRITTEN RECORD OF THE PORTABLE TANK PRESSURE
8. Is the OWTT required to be entered on the hazardous material shipping paper? YES
SAFER LIMIT HANDLING IN TRANSPORTATION BEFORE WE NEED TO TAKE ACTION.
9. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)? YES
10. Is the DOT-SP 11186 number required to be displayed on the container?
YES, AT LEAST 2" HIGH LETTERS, 2 SIDES OF ISO.

U.S. DOT / PHMSA / OHM SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 32 OF 114



**HM 126f
Certification of Training**

Hazmat Employee's Name: Ozzie Cejas

Date of Hazmat Training: June 19, 2008

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

Ozzie Cejas

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHMB SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 33 OF 114

**Certification of Training
Special Permit PowerPoint Presentation Test**

Hazmat employee's name: OSVALDO CEJAS
Miami, FL

Date of hazmat training: 6/19/08

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.
HM 126F HM 126F E LEARNING PROGRAM
HYDROTESTING MANUAL DRIVER TRAINING MANUAL
2. True or False – the term DOT Exemption and DOT Special Permit mean the same.
3. What division of the Department of Transportation (DOT) issues Special Permits.
PHMSA
4. True or False – you can download copies of Special Permits from the DOT's web site.
NO, YOU CANNOT
5. As of May 2008 how many different DOT Special Permits have been issued?
14,000.06
6. True or False – since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements.
7. True or False – unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 89 OF 119

8. True or False – a cylinder, tube trailer, container, etc that is operated under a Special Permit must be marked with the SP number.

9. True or False – a copy of the Special Permit must be kept at the location that offers the product for transportation.

10. True or False – depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier.

11. True or False – the Special Permit may restrict the products in the container.

12. When a Special Permit is renewed, how many years is it renewed for?

2 YEARS

4 YEARS

13. True or False – a Special Permit may limit the amount of time a product can be stored/transported in a container.

14. Explain a Manufacture, mark and sale Special Permit.

GIVE'S PERMISSION TO BUILD TANK
UNDER SPECIAL PERMIT

15. Explain a Users Special Permit.

16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

7835 , 14494 , 12391

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name)

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 35 OF 114

DOT Special Permit 11186

Date 6/19/2008
Employee OSVALDO CETAS
Instructor and location Gregory P. Barnett - Miami

DOT Special Permit 11186 Questions

1. Does your facility have a current copy of this Special Permit?
YES
2. What is the expiration date of this Special Permit?
4 YEARS
3. Does the DOT-SP 11186 number need to be entered on the shipping paper in association with the proper shipping name?
YES
4. Do you have to provide a copy of this Special Permit if transported by highway? Y By water? NO By Air? NO By Rail? NO
5. What company is the Grantee of this Special Permit?
~~CHART~~ CHART
6. What cryogenic products can be loaded into this Special Permit container?
PAGE 2
7. Explain the term One Way Travel Time (OWTT)?
DETERMINED BY FOR FORMULA
8. Is the OWTT required to be entered on the hazardous material shipping paper?
YES
9. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)?
YES
10. Is the DOT-SP 11186 number required to be displayed on the container?
YES

U.S. DOT / PHMSA / OHM SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 86 OF 114



Location:

Safety Meeting Form

Topic descriptions:

Special Permits : SP 11186

Visual aids or references used to conduct the training:

Power point from John Anderson

Remarks:

Meeting conducted by:

[Signature]
(Signature)

Date: 6/17/08

Gregory A. Barnett

Business Address of Trainer:

125 TOWNPARK DR. N.W. Ste. 400
KENNESAW, GA. 30144

Attendees

Print Name	Signature or Initials	Certified
JOSE M FUNIGA	<i>[Signature]</i>	<input checked="" type="checkbox"/>
TERRY MARTINEZ	<i>[Signature]</i>	<input checked="" type="checkbox"/>
JOSELYN CABADA	<i>[Signature]</i>	<input checked="" type="checkbox"/>
Manuel Gonzalez	<i>[Signature]</i>	<input checked="" type="checkbox"/>
Hector Figueroa	<i>[Signature]</i>	<input checked="" type="checkbox"/>
Alvaro Padron	<i>[Signature]</i>	<input checked="" type="checkbox"/>
John Montoya	<i>[Signature]</i>	<input checked="" type="checkbox"/>
JOSE BLANCO	<i>[Signature]</i>	<input checked="" type="checkbox"/>
Aurelio Delgado	<i>[Signature]</i>	<input checked="" type="checkbox"/>

(Use backside for additional signatures or initials and dates.)

U.S. DOT / PHMSA / OHMS SOUTHERN REGION
 REPORT NUMBER: 08462028
 EXHIBIT NUMBER: 35
 PAGE NUMBER: 27 OF 114



**HM 126f
Certification of Training**

Hazmat Employee's Name: Mario Pardon

Date of Hazmat Training: June 19, 2008

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

**Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144**

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

Mario Pardon

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 38 OF 114

**Certification of Training
Special Permit PowerPoint Presentation Test**

Hazmat employee's name: Mario Farrow

Date of hazmat training: 6/17/08

Name and address of the person providing the training:
Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.

*HMF 21 F
DRIVER TRAINING MANUAL / HAZARDOUS TEST MANUAL*

2. True or False – the term DOT Exemption and DOT Special Permit mean the same. *TRUE*

3. What division of the Department of Transportation (DOT) Issues Special Permits.

PHMSA

4. True or False – you can download copies of Special Permits from the DOT's web site. *TRUE*

5. As of May 2008 how many different DOT Special Permits have been issued?

14,400

6. True or False – since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements. *TRUE*

7. True or False – unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name. *TRUE*

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 49 OF 119

8. True or False – a cylinder, tube trailer, container, etc that is operated under a Special Permit must be marked with the SP number.

TRUE

9. True or False – a copy of the Special Permit must be kept at the location that offers the product for transportation.

TRUE

10. True or False – depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier.

TRUE

11. True or False – the Special Permit may restrict the products in the container.

TRUE

12. When a Special Permit is renewed, how many years is it renewed for?

4 YEARS

13. True or False – a Special Permit may limit the amount of time a product can be stored/transported in a container.

TRUE

14. Explain a Manufacture, mark and sale Special Permit.

Allows for the manufacturer's mark & sale of a DOT SPECIFICATION CONTAINER

15. Explain a Users Special Permit. Allows user of a DOT SPECIFICATION CONTAINER TO PERFORM A TASK NOT AUTHORIZED BY THIS REGULATION

16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

7885
14624

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name)

Mr. Peter Marie Padua
has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 90 OF 114



**HM 126f
Certification of Training**

Hazmat Employee's Name: Hector Figueredo

Date of Hazmat Training: June 19, 2008

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

**Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144**

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

Hector Figueredo

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHM Southern Region
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 38
PAGE NUMBER: 97 OF 114

**Certification of Training
Special Permit PowerPoint Presentation Test**

Hazmat employee's name: Hector Figueredo
Miami, FL

Date of hazmat training: 6/19/08

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.
*HM 104F Hydro Test manuals
Driver training manuals*
2. True or False – the term DOT Exemption and DOT Special Permit mean the same. *True*
3. What division of the Department of Transportation (DOT) issues Special Permits.
PHMSA
4. True or False – you can download copies of Special Permits from the DOT's web site. *True*
5. As of May 2008 how many different DOT Special Permits have been issued?
14,400
6. True or False – since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements. *True*
7. True or False – unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name.
True

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 92 OF 119

8. True or False – a cylinder, tube trailer, container, etc that is operated under a Special Permit must be marked with the SP number.

True

9. True or False – a copy of the Special Permit must be kept at the location that offers the product for transportation.

True

10. True or False – depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier.

True

11. True or False – the Special Permit may restrict the products in the container.

True

12. When a Special Permit is renewed, how many years is it renewed for?

4 years

13. True or False – a Special Permit may limit the amount of time a product can be stored/transported in a container.

True

14. Explain a Manufacture, mark and sale Special Permit.

Allows for manufacture mark and sale of a new DOT specification container

15. Explain a Users Special Permit.

Allows user of a DOT specification container to perform a task not authorized by the Reg.

16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

7835
1494

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name)

Hector Figueroa Hector Figueroa
has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHM SOUTH REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 75
PAGE NUMBER: 93 OF 114



**HM 126f
Certification of Training**

Hazmat Employee's Name: Jose Cabada

Date of Hazmat Training: June 19, 2006

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

**Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144**

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

Jose Cabada

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 0846202A
EXHIBIT NUMBER: 5
PAGE NUMBER: 94 OF 114

**Certification of Training
Special Permit PowerPoint Presentation Test**

Hazmat employee's name: JOSS J CABANA

Date of hazmat training: 6/20/08

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.

AIRGAS HYDROTEST MANUAL
AIRGAS OILER TRAINING MANUAL

2. True or False - the term DOT Exemption and DOT Special Permit mean the same.

TRUE

3. What division of the Department of Transportation (DOT) Issues Special Permits.

(PHMSA) PIPELINE HAZARDOUS MATERIAL SAFETY ADM.

4. True or False - you can download copies of Special Permits from the DOT's web site.

TRUE

5. As of May 2008 how many different DOT Special Permits have been issued?

14,400

6. True or False - since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements.

TRUE

7. True or False - unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name.

TRUE

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 15
PAGE NUMBER: 15 OF 114

8. (True) or False - a cylinder, tube trailer, container, etc that is operated under a Special Permit must be marked with the SP number.

TRUE

9. True or False - a copy of the Special Permit must be kept at the location that offers the product for transportation.

TRUE

10. True or False - depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier.

TRUE

11. True or False - the Special Permit may restrict the products in the container.

TRUE

12. When a Special Permit is renewed, how many years is it renewed for?

4 years

13. (True) or False - a Special Permit may limit the amount of time a product can be stored/transported in a container.

TRUE

14. Explain a Manufacture, mark and sale Special Permit.

allows for the manufacture, mark and sale of a DOT specification container

15. Explain a Users Special Permit. allows user of a DOT specification

container to perform a task not authorized by the regulations

16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

7835
14494

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name)

JOSE J. CABADA

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHM Southern Region
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 96 OF 114



**HM 126f
Certification of Training**

Hazmat Employee's Name: Jerry Martinez

Date of Hazmat Training: June 19, 2008

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

**Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144**

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

Jerry Martinez

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHMVE SOUTHERN REGION
REPORT NUMBER: 0846202R
EXHIBIT NUMBER: 73
PAGE NUMBER: 97 OF 119

**Certification of Training
Special Permit PowerPoint Presentation Test**

Hazmat employee's name: Jerry Martinez

Date of hazmat training: 6/20/08

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.

*HM 126F-E Private Train manual
Hydro test manual*

2. True or False – the term DOT Exemption and DOT Special Permit mean the same.

3. What division of the Department of Transportation (DOT) Issues Special Permits.

PHMSA

4. True or False – you can download copies of Special Permits from the DOT's web site.

5. As of May 2008 how many different DOT Special Permits have been issued?

14,400

6. True or False – since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements.

7. True or False – unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name.

U.S. DOT / PHMSA / OHM - SOUTHERN REGION

REPORT NUMBER: 08462028

EXHIBIT NUMBER: 35

PAGE NUMBER: 98 OF 114

8. True or False – a cylinder, tube trailer, container, etc that is operated under a Special Permit must be marked with the SP number.

9. True or False – a copy of the Special Permit must be kept at the location that offers the product for transportation.

10. True or False – depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier.

11. True or False – the Special Permit may restrict the products in the container.

12. When a Special Permit is renewed, how many years is it renewed for?

4 year

13. True or False – a Special Permit may limit the amount of time a product can be stored/transported in a container.

14. Explain a Manufacture, mark and sale Special Permit.

It allows the manufacture or use DOT specification containers

15. Explain a Users Special Permit.

allows ~~use~~ its a permit permits given to user not the manufacture

16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

7835 and 14494

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name)

[Signature]
has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 75
PAGE NUMBER: 77 OF 114



**HM 126f
Certification of Training**

Hazmat Employee's Name: Aurelio Delgado

Date of Hazmat Training: June 19, 2008

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

**Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144**

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

Aurelio Delgado

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: TS
PAGE NUMBER: 100 OF 114

**Certification of Training
Special Permit PowerPoint Presentation Test**

Hazmat employee's name: Aurelio Delgado
Miami, FL

Date of hazmat training: 6/19/08

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.
HM 126F HM 126F-E
Hydro Test Manual Drive Training Manual
2. True or False – the term DOT Exemption and DOT Special Permit mean the same.
3. What division of the Department of Transportation (DOT) issues Special Permits.
Pipeline & Hazardous Materials Safety Administration
4. True or False – you can download copies of Special Permits from the DOT's web site.
True
5. As of May 2008 how many different DOT Special Permits have been issued?
14,400
6. True or False – since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements.
7. True or False – unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 101 OF 114

8. True or False – a cylinder, tube trailer, container, etc that is operated under a Special Permit must be marked with the SP number.

9. True or False – a copy of the Special Permit must be kept at the location that offers the product for transportation.

10. True or False – depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier.

11. True or False – the Special Permit may restrict the products in the container.

12. When a Special Permit is renewed, how many years is it renewed for?

2 years

13. True or False – a Special Permit may limit the amount of time a product can be stored/transported in a container.

14. Explain a Manufacture, mark and sale Special Permit.

*It allow to ^{the} manufacturing sale now
DOT specification container*

15. Explain a Users Special Permit.

Allow a user that is not a manufacturer

16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

7835 and 14494

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name)

[Signature]
has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 18
PAGE NUMBER: 102 OF 114



**HM 126f
Certification of Training**

Hazmat Employee's Name: Manual Garaboa

Date of Hazmat Training: June 19, 2008

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

**Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144**

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

Manual Garaboa

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHM SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 11
PAGE NUMBER: 103 OF 114

**Certification of Training
Special Permit PowerPoint Presentation Test**

Hazmat employee's name: Harold Garabog

Date of hazmat training: 6/17/08

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.
HM126R AM21 126F DRIVER TRAINING MANUAL HYDROTES MANUAL
2. True or False – the term DOT Exemption and DOT Special Permit mean the same.
3. What division of the Department of Transportation (DOT) issues Special Permits.
PAMSA
4. True or False – you can download copies of Special Permits from the DOT's web site.
5. As of May 2008 how many different DOT Special Permits have been issued?
14,400
6. True or False – since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements.
7. True or False – unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name.

U.S. DOT / PHMSA / OHM E SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 169 OF 119

8. True or False – a cylinder, tube trailer, container, etc that is operated under a Special Permit must be marked with the SP number.

9. True or False – a copy of the Special Permit must be kept at the location that offers the product for transportation.

10. True or False – depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier.

11. True or False – the Special Permit may restrict the products in the container.

12. When a Special Permit is renewed, how many years is it renewed for?

4 Years

13. True or False – a Special Permit may limit the amount of time a product can be stored/transported in a container.

14. Explain a Manufacture, mark and sale Special Permit.

Allows for Manufacture MARK and sale of a new DOT specification container

15. Explain a Users Special Permit. Allows user of a DOT specification container to perform a task not authorized by this regulation

16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

7835
14494

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name)

Manuel Garabog

has been trained and tested, as required by this subpart.



**HM 126f
Certification of Training**

Hazmat Employee's Name: Jose Zuniga

Date of Hazmat Training: June 19, 2008

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

**Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144**

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

Jose Zuniga

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 106 OF 114

Certification of Training
Special Permit PowerPoint Presentation Test

Hazmat employee's name: JOSE M JUNIGA

Date of hazmat training: 6/19/08

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.

HM 126 F MANUAL SECTION

2. True or False - the term DOT Exemption and DOT Special Permit mean the same.

HM 126 F TRAINING HAZARDOUS MATS HYDRO TEST MANUAL
HANDLING DRIVER HAZARDOUS MANUAL

TRUE

3. What division of the Department of Transportation (DOT) issues Special Permits.

THMSA

4. True or False - you can download copies of Special Permits from the DOT's web site.

TRUE

5. As of May 2008 how many different DOT Special Permits have been issued?

14,400 PERMITS

6. True or False - since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements.

TRUE

7. True or False - unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name.

TRUE

U.S. DOT / PHMSA / OHM SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 107 OF 114

8. True or False – a cylinder, tube trailer, container, etc that is operated under a Special Permit must be marked with the SP number.

TRUE

9. True or False – a copy of the Special Permit must be kept at the location that offers the product for transportation.

TRUE

10. True or False – depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier.

TRUE

11. True or False – the Special Permit may restrict the products in the container.

TRUE

12. When a Special Permit is renewed, how many years is it renewed for?

4 YEARS

13. True or False – a Special Permit may limit the amount of time a product can be stored/transported in a container.

YES TRUE

14. Explain a Manufacture, mark and sale Special Permit.

GET ALLOWS FOR MANUFACTURE MARK AND SALE OF A NEW DOT SPECIFICATION CONTAINER

15. Explain a Users Special Permit.

SPECIFICATION CONTAINER TO PERFORM A TASK NOT AUTHORIZED BY THE REGULATIONS

16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

7835 AND 1494

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name) Paul M. Zingra

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 33
PAGE NUMBER: 108 OF 119



**HM 126f
Certification of Training**

Hazmat Employee's Name: Jose Blanco

Date of Hazmat Training: June 19, 2008

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

**Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144**

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

Jose Blanco

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 109 OF 119

**Certification of Training
Special Permit PowerPoint Presentation Test**

Hazmat employee's name: JOSE BLANCO
Miami, FL

Date of hazmat training: 6/19/08

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.

*Airgas Driver Training Manual H-1126 E
H-1126 R & 14 Hydra Test Manual*

2. True or False - the term DOT Exemption and DOT Special Permit mean the same.

3. What division of the Department of Transportation (DOT) issues Special Permits. *PHMSA*

4. True or False - you can download copies of Special Permits from the DOT's web site.

5. As of May 2008 how many different DOT Special Permits have been issued? *14,400*

6. True or False - since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements.

7. True or False - unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 38
PAGE NUMBER: 110 OF 119

8. True or False -- a cylinder, tube trailer, container, etc that is operated under a Special Permit must be marked with the SP number.

9. True or False -- a copy of the Special Permit must be kept at the location that offers the product for transportation.

10. True or False -- depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier.

11. True or False -- the Special Permit may restrict the products in the container.

12. When a Special Permit is renewed, how many years is it renewed for?
4 years

13. True or ~~False~~ -- a Special Permit may limit the amount of time a product can be stored/transported in a container.

14. Explain a Manufacture, mark and sale Special Permit.
Allows for Manufacture the Selling of a Non-DOT Spec. Container

15. Explain a Users Special Permit.
Permits Given to User NOT the Manufacturer

16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

*7835
14494*

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name) *[Signature]*

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 38
PAGE NUMBER: 111 OF 114



**HM 126f
Certification of Training**

Hazmat Employee's Name: John Montoya

Date of Hazmat Training: June 19, 2008

A description, copy or the location of the training materials used to meet these requirements:

This course/presentation provides a general awareness and function specific training with regard to DOT Special Permits. The training will also include function specific training pertaining to special permit SP-11186.

Name and address of the person providing the training:

**Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW STE 400
Kennesaw, GA 30144**

This certification is in compliance with the requirements found in 49 CFR §172.704. This document certifies that the hazmat employee (insert hazmat employee's name):

John Montoya

has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 38
PAGE NUMBER: 112 OF 114

**Certification of Training
Special Permit PowerPoint Presentation Test**

Hazmat employee's name: John Montoya
Miami, FL

Date of hazmat training: 6/19/08

Name and address of the person providing the training:

Gregory P. Barnett
Director of Safety and Compliance
125 Townpark Dr. NW Ste. 400
Kennesaw, GA 30144

Questions

1. Name the 4 other Airgas manuals or training programs that provide in depth (function specific) training regarding Special Permits.

HMPDF Driver training Manual (Hydro test manual)

2. True or False – the term DOT Exemption and DOT Special Permit mean the same.

3. What division of the Department of Transportation (DOT) issues Special Permits.

PHMSA

4. True or False – you can download copies of Special Permits from the DOT's web site.

5. As of May 2008 how many different DOT Special Permits have been issued?

14,400

6. True or False – since each Special Permit is unique you must read each Special Permit to ensure you fully understand the requirements.

7. True or False – unless exempted the Special Permit number must be listed on the hazardous material shipping paper in association with the proper shipping name.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462078
EXHIBIT NUMBER: 35
PAGE NUMBER: 113 OF 114

8. True or False – a cylinder, tube trailer, container, etc that is operated under a Special Permit must be marked with the SP number.

9. True or False – a copy of the Special Permit must be kept at the location that offers the product for transportation.

10. True or False – depending on the mode of transportation, the Special Permit may require that a copy of the Special Permit is provided to the carrier.

11. True or False – the Special Permit may restrict the products in the container.

12. When a Special Permit is renewed, how many years is it renewed for? 4 yrs

13. True or False – a Special Permit may limit the amount of time a product can be stored/transported in a container.

14. Explain a Manufacturer, mark and sale Special Permit.

ALLOWS FOR MANUFACTURER MARKS AND OF A DOT SPECIFICATION CONTAINER

15. Explain a Users Special Permit.

ALLOWS USER OF A DOT SPECIFICATION CONTAINER TO PERFORM A TASK NOT AUTHORIZED BY THIS REGULATION

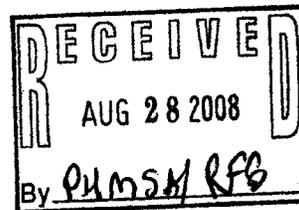
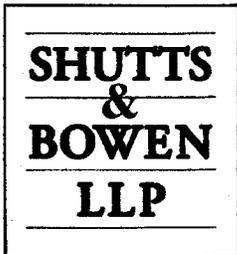
16. List the Special Permit numbers that your location uses to requalify cylinders, fill or ship cylinders/containers.

7835
11194

This certification is in compliance with the requirements found in 49 CFR 172.704. This document certifies that the hazmat employee (insert hazmat employee's name)

[Signature]
has been trained and tested, as required by this subpart.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 35
PAGE NUMBER: 114 OF 114



FRANK A. ZACHERL
Member Florida Bar
(305) 347-7305 Direct Telephone
(305) 347-7705 Direct Facsimile

E-MAIL ADDRESS:
fzacherl@shutts.com

August 21, 2008

VIA ELECTRONIC MAIL AND VIA OVERNIGHT MAIL

Mr. John Heneghan at John.Heneghan@dot.gov
Mr. Robert Burns at Bob.Burns@dot.gov
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Office of Hazardous Materials Enforcement
Southern Region
233 Peachtree Street, NE Suite 602
Atlanta, Georgia 30303

**RE: Airgas South, Inc.
Supplemental Response to May 23, 2008, Exit Briefing**

Dear Mr. Heneghan and Mr. Burns:

Please accept this letter (with attachments) as Airgas South, Inc's ("Airgas South") supplemental response to the May 23, 2008, Exit Briefing conducted by you on behalf of the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration ("PHMSA").

On June 22, 2008, Airgas South provided its initial response to the Exit Briefing. In our initial response, we described the extensive training and compliance programs already in place at Airgas South prior to the Exit Briefing (and the ongoing revisions to this training at the time of the Exit Briefing, which we have addressed in more detail below), the extraordinary remedial measures undertaken by Airgas South in the days since the Exit Briefing, remedial Standard Operating Procedures developed and implemented at Airgas South for dealing with cryogenic liquid intermodal ("ISO") tanks, and other matters responsive to your concerns regarding Airgas South's compliance and training procedures.

You kindly granted Airgas South ninety (90) days from the date of the Exit Briefing to supplement its initial response, so that Airgas South could fully implement its ongoing and remedial training revisions. All of these programs have been fully implemented, as described

FTLDOCS 5343002 1

200 East Broward Boulevard, Suite 2100, Fort Lauderdale, Florida 33301 • ph 954-524-5305 • fx 954-524-5506 • www.shutts.com

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 30

August 21, 2008

Page 2

below, and are in the process of being tested and fine-tuned as Airgas South resumes its ISO tank shipments (as you know, Airgas South immediately suspended all ISO tank shipments from the Doral facility while its remedial training courses and Standard Operating Procedures were developed and implemented).

I. Remedial Standard Operating Procedures (SOPs)

In Section IV of its initial response, Airgas South described the efforts it was taking to conduct an examination of its operating procedures when shipping ISO containers. This examination included meeting with employees of Airgas South at the Doral facility and discussing remedial SOPs that would ensure regulatory compliance.

As a result of this extensive effort, there are now two (2) remedial SOPs, which have been formulated:

1. Cryogenic Liquid Intermodal Tank (ISO) Containers (13 pages); and
2. Shipping and Documentation Procedure for ISO Containers (4 pages).

Both of these remedial SOPs have been adopted and implemented, and Airgas South is confident that they will ensure full regulatory compliance. Copies of the two (2) SOPs are enclosed at Tabs 14 and 15, respectively.

As promised in the initial response, these remedial SOPs include specific provisions on each of the "probable violations" and include (among other tasks, which are part of the SOPs):

1. Placing the special permit number on each shipping paper;
2. Providing the special permit to the carrier with the shipment;
3. Conducting a visual inspection of the tank (including valves, retaining wires, and their labels), as well as protocols for any violations discovered in the inspection;¹

¹In your July 22 letter, you inquired about the shipments in which photos of the ISO tanks were obtained prior to the tanks leaving Airgas South's Doral facility. As you may recall, while you were conducting your inspection at the Doral facility (prior to issuing the Exit Briefing), Airgas South employee Gus De Quesada advised you that he obtained these pre-shipment photos and provided them to his customers as a customer service to reflect the pressure gauges and general condition of the tank exterior. He also stated that it was not Airgas South's standard procedure to take photographs of the gauges and/or tanks prior to shipment. This was simply a service that Gus De Quesada performed at the request of one his customers.

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 2 OF 69

FTLDOCS 5343002 1

200 East Broward Boulevard, Suite 2100, Fort Lauderdale, Florida 33301 • ph 954.524.5505 • fx 954.524.5506 • www.shutts.com

MIAMI FORT LAUDERDALE WEST PALM BEACH ORLANDO TAMPA TALLAHASSEE AMSTERDAM

4. Completion of the shipping papers with the one-way travel time and a record of the pressure and temperature at the start of the trip; and
5. Inspection of placarding and signage on the ISO tank.

These SOPs specifically include inspection criteria for safety devices on ISO tanks, as well as a specific plan for mitigating and/or resolving all violations discovered during these inspections.

Moreover, on July 16, 17 and 22, 2008, all employees at the Doral facility were trained on these remedial SOPs and required to pass a test on the SOPs at 100%. Copies of the attendance sheets and tests for all Airgas South Doral employees are enclosed at Tab 16.

As you know, Airgas South suspended all ISO tank shipments from the Doral facility while remedial training courses and SOPs were developed and implemented. That suspension has now been lifted, and on August 20, 2008, the first ISO tank shipment from the Doral facility since the date of the DOT Exit Briefing was made. Greg Barnett, who is Airgas South's Director of Safety and Compliance and the draftsman of the remedial SOPs, was present at the Doral facility to run through the SOPs with the personnel at Doral. A copy of the shipping documentation is enclosed at Tab 17. Again, Airgas South is confident that this effort and the SOPs will ensure full regulatory compliance in the future.

II. Meeting in Atlanta on July 31, 2008

As you know, we invited you and other DOT/PHMSA representatives to meet with Airgas South and SAFECOR representatives in Atlanta on July 31, 2008, for the purpose of reviewing Airgas South's extensive training and compliance procedures in place prior to the Exit Briefing. Besides yourselves and your colleague, Scott Simmons, present at the meeting were the following persons: Jay Sullivan (President of Airgas South), Greg Barnett (Director of Safety and Compliance at Airgas South), Don Goldschmidt (VP Operations at Airgas South), and John Anderson (Director of DOT Operations²).

²As indicated in the initial response, Airgas' commitment to safety, training and regulatory compliance is manifested by the creation of a separate safety, environmental and regulatory compliance department - SAFECOR. SAFECOR stands for SAFETY, Environmental, COMPLIANCE and Risk Management, and one of its important functions is to liaise and keep up to date with regulatory agencies, including FDA, DOT, EPA, OSHA and DEA. SAFECOR interprets the application of legislation to Airgas' business and produces procedures, programs, policies, manuals and training programs to comply with that legislation. This information, including manuals and training programs, is passed on to the Regional Safety Directors, who then implement and train within their respective business units. Additionally, SAFECOR

August 21, 2008

Page 4

At the meeting, Mr. Anderson reviewed for you the various online HM 126f training programs, and the hardcopy training programs on HM 126f that have been in place for years (updated in 2003, 2005, and 2007). Mr. Anderson also reviewed how the E-Learning Doc. (see page 10 of the initial response) interfaces with the HM 126f program.

We thank you for taking the time to attend this important meeting, and we would appreciate your consideration of the fact that we convened the meeting (as well as the matters discussed at the meeting), as part of our response to the Exit Briefing.

III. Update on Remedial Training in Response to the Exit Briefing.

In Section III at pages 10-11 of the initial response, Airgas South discussed its immediate implementation of remedial measures to make sure that it retrained and re-educated all employees on how to deal with special permits. As discussed therein, after the Exit Briefing, SAFECOR designed a PowerPoint presentation concerning DOT Special Permits/Exemptions, and a copy of the PowerPoint presentation was enclosed with the initial response at Tab 10. On June 13, 2008, SAFECOR delivered this PowerPoint presentation as a four (4) hour function specific training session for three (3) individuals from the Airgas South Safety and Compliance Team (Greg Barnett [Director of Safety and Compliance], Thad Speller [Area Safety Manager for Florida], and Danny Schultheisz [Area Safety Manager for Georgia]), among others. Subsequent to the training session, the PowerPoint presentation was sent to all Airgas South Safety Directors, so that the PowerPoint presentation could be used as an additional training tool for function specific training on DOT special permits/exemptions.

We also explained that, on June 19 – 20, 2008, the same four (4) hour intensive function specific training session was conducted at the Doral facility for all Airgas South – Doral employees. In addition to this training, supplemental specialized function specific training on DOT SP 11186 was given. Subsequent to the training, all participants were tested on both the generalized function specific training regarding DOT special permits/exemptions and the function specific training relating specifically to DOT SP 11186. Copies of the attendance sheets and tests were enclosed with the initial response at Tab 11.

This in-depth remedial training and remedial testing has been conducted and will continue to be conducted at other Airgas South locations to ensure that every Airgas South employee fully complies with all regulations and requirements governing special permits/exemptions. Importantly, this ongoing function specific training on special permits is being honed to be “plant-specific,” to address the specific permit numbers/containers shipped by

representatives sit on many CGA committees that form the standards for the compressed gas industry.

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 26
PAGE NUMBER: 4 OF 69

FTLDOCS 5343002 1

200 East Broward Boulevard, Suite 2100, Fort Lauderdale, Florida 33301 • ph 954.524.5505 • fx 954.524.5506 • www.shuttts.com

MIAMI FORT LAUDERDALE WEST PALM BEACH ORLANDO TAMPA TALLAHASSEE AMSTERDAM

each separate Airgas South facility. Airgas South Area Safety Managers are giving this function specific training, and all employees, who have responsibility for preparing and handling hazardous material shipments, will be trained and tested.

Additionally, as part of its mandatory monthly courses on regulatory and safety issues, which is a supplement to the training received by Airgas South employees (see page 9 of the initial response in the section entitled "C Monthly Training"), the August safety meeting topic is special permits. Greg Barnett has taken the SAFECOR PowerPoint presentation and put it into a format for the August Safety Meeting webpage, along with a test. Excerpts from the August Safety Meeting, including the test, are enclosed at Tab 18. So, by the end of August, all Airgas South employees will have had the function specific special permit training prepared by SAFECOR and discussed in the preceding paragraphs of this supplemental response.

Moreover, the quarterly list of special permits (which now includes SP 11186) was sent on August 3, 2008, to all Airgas South Regional Safety Directors, Regional Operation Managers, and SAFECOR Field Representatives, and a copy is enclosed at Tab 19. The list includes a statement in the very first paragraph stressing the need for all personnel to read and comply with applicable special permits. The updated list has been circulated to all Airgas South employees.

IV. Update on Online New Employee Orientation Training ("NEO")

In Section I of the initial response at paragraph A on pages 4 – 5, we discussed an online training course for new employees (NEO), which was in the process of being developed at the time of the Exit Briefing. At the time of our initial response, the NEO training was not yet completed. We are now pleased to report that NEO has been online and in place since June 30, 2008. Importantly, NEO is being utilized to train every new employee and to provide current employees refresher training on both general awareness and function specific issues. Airgas South is confident that this new NEO program will help ensure the goal of full regulatory compliance.

V. Conclusion

As with its initial response, for the purposes of this supplemental response to the Exit Briefing, Airgas South respectfully submits that it cannot admit the "probable violations" referenced in the Exit Briefing. Thus, nothing in this letter should be construed as an admission of wrongdoing, liability, or regulatory violation, and Airgas South reserves all of its rights.

However, notwithstanding this reservation, as demonstrated in the initial response and this supplemental response, Airgas South has taken significant corrective actions to remediate the issues raised in the Exit Briefing and ensure that no such violations occur in the future. Airgas South has conducted a "top to bottom" review of all of its training programs and inspection criteria and, moreover, has now implemented the new training format (being developed at the time of the Exit Briefing) to enhance its current training procedures. Finally,

FTLDOCS 5343002 1

200 East Broward Boulevard, Suite 2100, Fort Lauderdale, Florida 33301 • ph 954.524.5505 • fx 954.524.5506 • www.shipts.com

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 3 OF 69

August 21, 2008
Page 6

Airgas South has formulated, adopted, and implemented remedial SOPs (including detailed special permit documentation requirements and specific inspection criteria) for dealing with ISO and other shipping containers. We reiterate our request that PHMSA consider these mitigating factors, along with the others identified in the initial response and the supplemental response herein.

Airgas South genuinely appreciates your guidance and input and has worked hard at providing remedial training and implementing appropriate SOPs to ensure full compliance with all applicable DOT regulations. We would appreciate your comments and input regarding our remediation program and corrective action taken to date.

In the event that DOT is considering issuing a Notice of Violation, including a sanction in the form of a civil penalty, Airgas South reiterates its request that its initial response and the within supplemental response, along with all enclosed documentation, be considered for mitigation of any violation or penalty.

Thank you for your consideration of our response and this supplement.

Very truly yours,

SHUTTS & BOWEN LLP

Frank A. Zacherl

Frank A. Zacherl

Enclosures: Tabs 14-19

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 6 OF 69

FTLDOCS 5343002 1

200 East Broward Boulevard, Suite 2100, Fort Lauderdale, Florida 33301 • ph 954.524.5505 • fx 954.524.5506 • www.shutts.com

MIAMI FORT LAUDERDALE WEST PALM BEACH ORLANDO TAMPA TALLAHASSEE AMSTERDAM

AIRGAS SOUTH, INC.
INDEX OF ATTACHMENTS TO AUGUST 21, 2008
SUPPLEMENTAL RESPONSE

<i>TAB</i>	<i>TITLE</i>
14.	Cryogenic Liquid Intermodal Tank (ISO) Containers
15.	Shipping and Documentation Procedure for ISO Containers
16.	Attendance Sheets and Tests for all Airgas South Doral Employees
17.	August 20, 2008, ISO Shipment Documentation
18.	Excerpts from the August Safety Meeting Materials
19.	Updated Quarterly List of Special Permits

Airgas South, Inc.
Supplemental Response to Exit Briefing dated August 21, 2008

14. Cryogenic Liquid Intermodal Tank (ISO) Containers

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 7 OF 69

Airgas.		Airgas South	
Procedure			
Subject:	Cryogenic Liquid Intermodal Tank (ISO) Containers		
ID NUMBER:	ASOBR-0001	Revision 2.0	Page 1 of 13

1.0 Purpose

The purpose of this procedure is to give guidance to locations for the receipt, inspection, filling, post inspection, and shipment of ISO containers.

2.0 Scope

This procedure is to be used by all locations when importing or exporting ISO containers.

3.0 Definitions

1. **Road Relief** – Regulates the PSI in your transport. It is to be open all the time except during the unloading.
2. **Vent Valve** – Controls transport PSI. You will use this valve to decrease the transports PSI if the pressure rises too fast during the filling procedure and while unloading if necessary. After unloading, use this valve to decrease the PSI in the transport before leaving the customer. (15 to 18 PSI when finished unloading)
3. **Bottom Fill or Fill Drain** – After hooking up the loading hose, you open this valve to load the liquid into the bottom of the transport. (Remember when liquid goes in the bottom of the transport it will raise the PSI.)
4. **Top Fill** – Top fill valve is used with the bottom fill valve to regulate the PSI in the transport while loading. (Remember when liquid goes in the top it will decrease PSI in the transport.)
5. **Pump Inlet** – This valve is used during the cool down process. It allows liquid to flow into the pump. The liquid is the only thing that lubricates the seal inside the pump.
6. **Recirculation Valve** - This valve is used along with the pump inlet valve to allow the liquid to circulate through the pump during the cool down process. (Using this valve allows the pump to fill with liquid.)

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
 REPORT NUMBER: 08467078
 EXHIBIT NUMBER: 36
 PAGE NUMBER: 9 OF 67

Airgas.		Airgas South	
Procedure			
Subject:	Cryogenic Liquid Intermodal Tank (ISO) Containers		
ID NUMBER:	ASOBR-0001	Revision 2.0	Page 2 of 13

7. **Pump Discharge** – When this valve is open it allows liquid to flow from the pump to the customer station during the pump-off operation and during the purge process.
8. **Pressure Builder** – This valve is used to build pressure in the transport during the pump-off operation. You want to maintain 25 to 30 PSI during the pumping process.
9. **Liquid Sample Valve** – You hook up the sample line when you arrive at the loading facility. You have to sample the purity in the transport before, during, and after you are loaded.

4.0 Procedure

4.1 Receipt of incoming Cryogenic Intermodal Tank (ISO) Containers

1. Plant personnel to ensure that location received all the proper documentation along with the shipment before the transport company departs. Document 5.2, Checklist for ISO Container/Loose Cargo will be initiated by the Plant/Receiving Department. Documentation would include a properly filled out bill of lading, hazardous material shipping paper (manifest) and any special permits/exemptions if applicable. Shipment to be refused if this step is not accomplished.
2. The required inspection report for the ISO container must be on file. If the container is not within date and has expired, the operation must stop and customer contacted.
3. It is important to note, many, but not all ISO containers will be manufactured under DOT SP-11186. If a Cryogenic Intermodal Tank (ISO) container comes in with Special Permit/Exemption numbers other than DOT SP – 11186, then the operation stops, we obtain the special permit, read it carefully, make a list of requirements and training is

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT/PHMSA/OHMF/SOUTHERN REGION
 REPORT NUMBER: 08462028
 EXHIBIT NUMBER: 36
 PAGE NUMBER: 10 OF 67

Airgas.		Airgas South	
Procedure			
Subject:	Cryogenic Liquid Intermodal Tank (ISO) Containers		
ID NUMBER:	ASOBR-0001	Revision 2.0	Page 3 of 13

performed. Also, if it comes in with no special permit number assigned, then the location must contact the manufacture for the status of the vessel.

4. Before signing receipt of shipments, perform a walk around inspection of the vessel.
 - a. Do the labels/decals describing the product and hazards agree with shipping documentation?
 - b. Is this vessel shipping under any special permit/exemption?
 - c. If so, do we have the special permit/exemption in hand?
 - d. If no labeling of container with special permit number, contact customer.
 - e. Inspect the outside of the vessel and all valves and piping for any damage that might affect performance or safety.
 - f. Check valves and pressure relief devices for tampering. The tamper evident wire must be intact.
 - g. Visual inspection.
 - h. Any non-conformity must be noted on the incoming shipping documentation before signing.
5. Once the ISO container is in Airgas' possession, Per SP 11186, container pressure and ambient temperature must be recorded every 24 hours by plant personnel after filling and at the time the container is shipped. Reference Document 5.1, ISO Pressure/Temperature Fill Log, for proper log to record tank pressure and ambient temperature. Attach a copy of filling documentation to a copy of the log and file. Documentation must be kept for 2 years. The log and a copy of the filling documentation must accompany shipping documentation.
6. If the tank is hot, the plant manager calls outside vendor for a hot fill. This usually takes approximately 3 days to a week.

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
 REPORT NUMBER: 08462028
 EXHIBIT NUMBER: 36
 PAGE NUMBER: 11 OF 67

Airgas		Airgas South	
Procedure			
Subject:	Cryogenic Liquid Intermodal Tank (ISO) Containers		
ID NUMBER:	ASOBR-0001	Revision 2.0	Page 4 of 13

7. If the tank is cold, plant manager calls outside vendor for a cold fill. This usually takes approximately 3 days to a week.

4.2 Observation of Pre-fill, Filling and Post-fill process.

Note: Normally Portable Cryogenic Vessels are filled by outside vendors. It is imperative that an Airgas employee is present when the vessel is being filled. Observation and participation of the following steps are important to ensure proper operation.

1. Pre-fill

- a. Check paper work to make sure driver/filler is about to fill the right tank. Pay close attention to the tank levels and tank pressure. Record the tank reading on the appropriate paper work. Make sure to check the serial number on your paper work and match it to the right tank. You also want to look on the tank and see what the tank PSI is to be maintained at.
- b. Chock transport wheels and put safety cones out.
- c. Fill Operator/Driver and Observer must always wear the appropriate personal protective equipment (PPE), i.e. hard hat, safety glasses, face shield, hearing protection, protective clothing and gloves, and safety shoes.
- d. A basic inspection should be performed on each vessel before filling, with special attention to valves and vents.
- e. Always suspect contamination in cases where valves have been left open during shipment.
- f. Does this vessel operate under a special permit/exemption and is it marked as such, which will affect the filling and shipping process? If so, then proceed to obtain the special permit/exemption. Read it thoroughly and follow all directions. If the

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
 REPORT NUMBER: 08462028
 EXHIBIT NUMBER: 36
 PAGE NUMBER: 12 OF 67

Airgas

Airgas South

Procedure

Subject: Cryogenic Liquid Intermodal Tank (ISO) Containers

ID NUMBER: ASOBR-0001

Revision 2.0

Page 5 of 13

vessel is not marked with a special permit/exemption, then stop and contact your supervisor for clarification. Many, but not all, of these cryogenic liquid intermodal tank (ISO) containers will be marked with SP or DOT E - 11186.

- g. Inspect the outside of the vessel and all valves and piping for damage. If any damage is noted, contact owner to set up the proper repair.
- h. Check all valves for smooth, positive action. Assure that the valves of empty tanks are closed tightly. Assure all packing and bonnet nuts are tight.
- i. If vessel is contaminated, purge to decontaminate before filling.
- j. Make sure that all couplings and openings are clean and free from obstructions.
- k. If dealing with Oxygen or other oxidizing products, remove any oil, grease and any other hydrocarbons from the outside of the vessel and interior of cabinets. Observe safety precautions when using solvents.

2. Fill Procedures

Summary of the filling procedures below are included only to aid Airgas employees in the observation of the vendor filling the vessel. The vendor filling the container is the qualified participant in this process.

- a. Close the road relief valve.
- b. Open the pump inlet valve.

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 13 OF 69

Airgas

Airgas South

Procedure

Subject:	Cryogenic Liquid Intermodal Tank (ISO) Containers		
ID NUMBER:	ASOBR-0001	Revision 2.0	Page 6 of 13

- c. Open the recirculation valve. By doing this, you are allowing the liquid to flow through the pump and back into the trailer to cool the pump down. The cool down process takes 15 minutes. (The pump and pipes will be frosted over when this is done correctly).

- d. Open the discharge valve and the customer purge valve or drain valve. Purge the delivery hose and the customer pipe until they are frosted.

- e. After the purge is complete, close the customer drain valve or purge valve.

- f. Close the discharge valve.

- g. Open the customer's top (gas) and bottom (liquid) valves all the way.

- h. After the 15 minute cool down, crack open the pressure building valve. You want between 25 and 30 PSI on your transport before you engage the clutch.

- i. Quickly return to the back of the trailer and throttle the engine up. Watch the pump pressure gauge. When the pump catches prime, the discharge gauge will jump up. This means the pump has caught prime.

- j. Quickly start closing the recirculation valve and watch the pump pressure. When the pump pressure

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 14 OF 67

Airgas.		Airgas South	
Procedure			
Subject:	Cryogenic Liquid Intermodal Tank (ISO) Containers		
ID NUMBER:	ASOBR-0001	Revision 2.0	Page 7 of 13

gets above the tank pressure, start opening the discharge valve at the same time you are closing the recirculation valve. When you get done with this step, the recirculation valve will be all the way closed and the discharge valve will be all the way open. You will be pumping at this point. You want the discharge PSI to be 50 to 100 PSI over the tank pressure. NOTE: You control the pump pressure with the engine RPM. (Example: If the tank PSI is 200, you want your pump PSI to be between 250 and 300.)

- k. Make sure you maintain your vessel pressure on your transport between 25 and 30 PSI during the pump off operation to ensure that your pump keeps it's prime.

3. Shut down Procedures

- a. After completing the fill process, observe that all valves are tightly closed and do not leak. If any are found to leak, ensure that the vendor filling the vessel has taken care of and made the necessary adjustments.
- b. Check pressure gauges and liquid level to ensure it meets customer requirements.

4. Post fill inspection

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
 REPORT NUMBER: 08462028
 EXHIBIT NUMBER: 36
 PAGE NUMBER: 15 OF 68

Airgas.		Airgas South	
Procedure			
Subject:	Cryogenic Liquid Intermodal Tank (ISO) Containers		
ID NUMBER:	ASOBR-0001	Revision 2.0	Page 8 of 13

- a. Shipping and Documentation Instructions will be covered in ASOBR-0002. Shipping department will ensure that manifest has the proper shipping description and, if applicable, special permits/exemptions notated on the manifest.
- b. Ensure that all shut down procedures have been completed and pressure relief valves have been visually inspected to assure proper operation.
- c. Airgas South plant manager obtains delivery receipt and certificate of analysis from the outside vendor for the corresponding fill.
- d. Airgas South plant manager checks pressure along with vendor on ISO tank to see if the pressure is high. If so, the pressure is vented after the tank is filled. The plant manager must record the tank pressure and ambient temperature after the container has been filled for each 24 hour period until it is shipped. The documentation is part of the shipping documentation and kept on file at the plant.
- e. If required by our customer, a purity test will be performed by Airgas South plant personnel for certificate of analysis.
- f. The test number is given to the Airgas South operations manager for preparation of the certificate of analysis, which is given to the account manager and client, indicating the ISO container number on the certificate.

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
 REPORT NUMBER: 08462028
 EXHIBIT NUMBER: 36
 PAGE NUMBER: 16 OF 69

Airgas

Airgas South

Procedure

Subject: Cryogenic Liquid Intermodal Tank (ISO) Containers

ID NUMBER: ASOBR-0001

Revision 2.0

Page 9 of 13

- g. Shrink wrapping of all fill valves to be done by Airgas South plant personnel for tampering security purposes.

- h. As you are performing your post fill inspection, make sure that all documentation and labeling is correct and in good condition. Your inspection should include special permits/exemptions, markings, placards and labeling. Markings, placards, labeling and Special Permits must be shown on all four sides. The ISO container does not ship until all requirements in this procedure are met. **Note:** Special Permits can be depicted on ISO containers as DOT E or SP. Many, but not all, ISO containers will be designated DOT SP-11186. If any Special Permit/Exemption is observed, the operation must stop until the special permit is obtained, read and completely followed. The facility must keep a copy of the special permit, and the special permit must accompany the shipment.

- i. When container has been completely inspected and approved, then the exporting department is notified for documentation completion.

5. Shipping of Container

- a. Determine that all Labels and Markings are in good condition. Container cannot be released for shipment unless all Labels and Markings are compliant.

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 17 OF 69

Airgas.

Airgas South

Procedure

Subject: Cryogenic Liquid Intermodal Tank (ISO) Containers

ID NUMBER: ASOBR-0001

Revision 2.0

Page 10 of 13

- b. Shipping department will receive all the necessary documentation from Sales/Exporting. Shipping personnel will assure that documentation as compared to the container is correct and complete and be the final signature on the IMO.
- c. Affix a large clear plastic zip lock adhesive envelope to the door of the ISO container containing copies of shipping documentation, MSDS and the applicable Special Permit/Exemption.
- d. Assure that driver picking up ISO container signs for all documentation and acknowledges and signs that he is in receipt of IMO, MSDS and the applicable Special Permit/Exemption. A copy will be made for the file. Refer to document 5.3, Delivery Receipt / Bill of Lading.
- e. Copies of signed acknowledgement (document 5.3) will be given to Sales/Exporting.

5.0 Documentation – Documents will be retained by Airgas South for two (2) years or return date of same vessel, whichever time period is longer.

5.1 ISO Pressure / Temperature Fill Log

5.2 Checklist for ISO Container / Loose Cargo

5.3 Delivery Receipt / Bill of Lading

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 18 OF 67

Airgas.

Airgas South

Procedure

Subject: Cryogenic Liquid Intermodal Tank (ISO) Containers

ID NUMBER: ASOBR-0001

Revision 2.0

Page 12 of 13

Airgas.

AIRGAS SOUTH

CHECKLIST FOR ISO/CONTAINER/LOOSE CARGO

Customer _____
Container # _____
Arrival Date _____
Product _____

- | | | <u>Initialed</u> |
|---|------------------|------------------|
| 1) ISO Inspection Report (Certification) | (PLANT) | _____ |
| 2) Transport Co. Incoming Receipt | (PLANT) | _____ |
| 3) Visual Inspection Performed per Procedures | (PLANT) | _____ |
| 4) Fill Company Delivery receipt and COA | (PLANT) | _____ |
| 5) Vessel Properly Labeled for Product to be filled | (PLANT) | _____ |
| 6) Pressure / Temperature Log initiated | (PLANT) | _____ |
| 7) One Way Travel Time Calculated | (PLANT) | _____ |
| 8) Airgas COA | (PLANT) | _____ |
| 9) Departure photos | (ACCT MGR/PLANT) | _____ |
| 10) IMO / Stamped IMO | (ACCT MGR/PLANT) | _____ |
| 11) Material Safety Data Sheet (MSDS) | (ACCT MGR) | _____ |
| 12) DOT-SP/Exemption# _____ (fill in number) | (ACCT MGR) | _____ |
| 13) CU Ticket generated | (ACCT MGR) | _____ |
| 14) Invoice | (ACCT MGR) | _____ |
| 15) Transport Co. Outgoing Receipt | (PLANT) | _____ |
| 16) Driver Receipt Form | (PLANT) | _____ |
| 17) Copy of Driver's Badge | (PLANT) | _____ |
| 18) Other- _____ | | _____ |

Approved By: _____

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
 REPORT NUMBER: **08462028**
 EXHIBIT NUMBER: **36**
 PAGE NUMBER: **26 OF 61**

Airgas

Airgas South

Procedure

Subject: Cryogenic Liquid Intermodal Tank (ISO) Containers

ID NUMBER: ASOBR-0001

Revision 2.0

Page 13 of 13

Airgas

AIRGAS SOUTH

DELIVERY RECEIPT / BILL OF LADING

Customer _____

Container # _____

Type of Shipment CONT ISO LC

*I have received the following documents from Airgas in good condition:

- 1) ORIGINAL IMO
- 2) STAMPED IMO
- 3) MSDS SHEETS
- 4) SPECIAL PERMIT/EXEMPTION# _____
- 5) PRESSURE / TEMPERATURE LOG
- 6) OWTT CALCULATED
- 7) COMMERCIAL INVOICE
- 8) HAZMAT/SHIPPING MANIFEST
- 9) OTHER - _____

*I hereby acknowledge receipt of the IMO, Material Safety Data Sheets (MSDS), and Special Permit/ Exemption # _____.

Driver's Name _____

Driver's Signature _____

Company _____

Ship Date _____

*Please attach copy of Driver's ID to form.

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT/PHMSA/OHME/SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 21 OF 67

Airgas South, Inc.
Supplemental Response to Exit Briefing dated August 21, 2008

15. Shipping and Documentation Procedure for ISO Containers

U.S. DOT / PHMSA / OHMVE SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 22 OF 69



Airgas South

Procedure

Subject: Shipping and Documentation Procedure for ISO Containers

ID NUMBER: ASOBR-0002

Revision 2.0

Page 1 of 4

1.0 Purpose

To give guidance for handling ISO container documentation from over seas clients to Airgas South and back to over seas clients.

2.0 Scope

This procedure is to be followed by all Airgas South locations when handling ISO containers.

3.0 Definitions

None

4.0 Procedure

1. Client advises Airgas South that ISO in en-route to be filled.
2. Client uses their overseas forwarder to coordinate the transport of the ISO to the United States.
3. Overseas forwarder contacts their local forwarding agent in United States about the incoming ISO to the U.S., with the ultimate destination in the U.S. being Airgas South.
4. Forwarding agent advises Airgas South that an ISO is en-route to Airgas South and approximate time of delivery to Airgas South
5. Overseas forwarder coordinates the shipment of the ISO with the steamship line for the export of the empty ISO to the U.S. It usually takes about 3 days from pick-up from client to actual loading on the vessel overseas.
6. Once the ISO is loaded on the incoming vessel from the client, coming from the overseas country, it usually takes 10 days transit time to receive the empty ISO from the overseas destination to the port of entry in the U.S. (This can vary from client, country, and steamship line.)

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT / PHMSA / OHME SOUTHERN REGION
 REPORT NUMBER: 08462028
 EXHIBIT NUMBER: 26
 PAGE NUMBER: 23 OF 67

Airgas

Airgas South

Procedure

Subject: Shipping and Documentation Procedure for ISO Containers

ID NUMBER: ASOBR-0002 **Revision 2.0** **Page 2 of 4**

7. Once the ISO arrives to the port of entry, the forwarder is advised from the importing carrier (steamship line) that it is ready for U.S. Customs clearing.
8. The custom broker clears the ISO and advises forwarder that the ISO is cleared by U.S. Customs and ready for pick-up and delivery to Airgas South. This process usually takes 3 days, unless an ISO is held in customs for random inspections and/or x-rays.
9. Once the ISO is ready for pick-up, the forwarder calls the transport company to pick up the ISO at the port and gives delivery instructions to deliver the ISO to Airgas South.
10. The transport company delivers the ISO container to Airgas South, and it is parked in the location's yard until notice is given by the account manager for the plant manager to contact the vendor to begin the filling process. The account manager will be responsible for obtaining order information from the client. Instructions are usually given to the account manager immediately by the client or within a few days, unless otherwise notified by the client to not fill yet.
11. On occasion, a client has requested that valves, safeties, or minor repairs be performed on incoming ISO's. When this occurs, a request for the service is evaluated by Airgas South, the service is quoted to the client, and a decision is made if Airgas South or an outside party will perform the service or repair. Once this is completed, the ISO is ready for fill when the client advises.
12. Once the client requests that the ISO be filled, the ISO is staged for fill by the plant manager. A vendor is contacted to perform the fill. Refer to Procedure ASOBR-0001
13. The plant manager/shipping department inspects the ISO visually as described in procedure ASOBR-0001.
14. Outside vendor fills the ISO.
15. The account manager or operations manager takes pictures of the inside compartment of the ISO container, valves, and gauges, along with the door side of

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT / PHMSA / OFFICE SOUTHERN REGION

REPORT NUMBER: 08462028

EXHIBIT NUMBER: 56

PAGE NUMBER: 24 OF 69

Airgas

Airgas South

Procedure

Subject: Shipping and Documentation Procedure for ISO Containers

ID NUMBER: ASOBR-0002

Revision 2.0

Page 3 of 4

- the ISO container and the front view of the ISO container indicating the ISO container number.
16. A ticket is prepared in CU for the amount of product that is being shipped to the client.
 17. Adhere to the maximum allowable product permitted in the ISO due to DOT road weight limits.
 18. A copy of the outside vendor's delivery ticket and certificate of analysis is kept for records.
 19. An IMO "Dangerous Goods Declaration Form" is prepared by the account manager and emailed to the forwarder for review, record, and transport purposes. This document is prepared in accordance to the International Maritime Dangerous Goods (IMDG) regulation by a certified person (account manager).
 20. The Airgas material safety data sheets are printed from the Airgas website.
 21. Copy of the appropriate Special Permit/Exemption is obtained from file to include in shipment and be documented on manifest.
 22. For efficiency, the following rubber stamps will be used on IMO documentation:
 - a. DOT-SP / E # _____ (to be filled in)
 - b. One way travel time, "One Way Travel Time = _____"
 - c. 1-866 emergency number and local Chemtrec number.
 23. Pick-up instructions are given to the forwarder to pick up the ISO at the Airgas South facility once all shipping documents are ready.
 24. A packet is prepared by the account manager for the transport driver which includes the original IMO "Dangerous Goods Declaration Form," Special Permits, Bill of Lading, and the Airgas' Material Safety Data Sheet(MSDS) and is given to the plant manager awaiting the arrival of the transport driver. Along with the packet, Document 5.2 from Procedure ASOBR-0001 is initiated by the plant; the Account Manager will complete the appropriate sections and return to Plant Manager for final completion.

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

U.S. DOT / PHMSA / OMB SOUTHERN REGION

REPORT NUMBER: 08462028

EXHIBIT NUMBER: 36

PAGE NUMBER: 25 OF 69

Airgas.		Airgas South	
Procedure			
Subject:	Shipping and Documentation Procedure for ISO Containers		
ID NUMBER:	ASOBR-0002	Revision 2.0	Page 4 of 4

25. Driver delivery ticket/ Bill of lading will include the statement, "I acknowledge receipt of the IMO, Material Safety Data Sheet (MSDS), and Special Permit/Exemption number _____. The driver picking up the ISO container must sign acknowledging this statement. Document 5.3 of procedure ASOBR-0001.
26. The ISO is picked up at the Airgas South plant, usually the same day or the next day, by the transport company and is taken to the port of discharge.
27. The ticket is selected and the original invoice is printed the next day.
28. Invoices are emailed to the forwarder for shipping purposes.
29. The invoice, certificate of analysis, booking and shipping details, and pictures are emailed to the client. The original invoices and certificates of analysis are sent by courier to the client.
30. The ISO is then staged at the port of discharge and loaded on the steamship line.
31. The ISO usually takes 7-10 days to arrive in the port of entry back to the client.
32. The ISO is cleared by the client at the final destination and is transported to their facility, emptied, and shipped back to the U.S. for the same procedures.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
 REPORT NUMBER: 08462028
 EXHIBIT NUMBER: 36
 PAGE NUMBER: 26 OF 69

Prepared by: Jason Kinsey	Date: July 8, 2008	Issued Date
Approved by: Greg Barnett	Date: July 9, 2008	July 16, 2008

Airgas South, Inc.
Supplemental Response to Exit Briefing dated August 21, 2008

16. Attendance Sheets and Tests for all Airgas South Doral
Employees

U.S. DOT / PHMSA / OHSU SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 27 OF 67

TRAINING PARTICIPATION RECORD

Place of Training

Location: MIAMI, FL (DORAL FACILITY)

Department: SALES/PLANT

Type of Training:

SHIPMENTS OF ISO CONTAINERS

Key Training Requirement/Topics To Be Covered in Training:

The training to be covered will be the requirements of Procedures ASOBR-0002, Shipping and Documentation Procedures for ISO Containers and ASOBR-0001, Safe Handling of Cryogenic Liquid Intermodal Tank (ISO) Container.

Participants:

	Name (Print)	Signature	Position / Location Number	Successfully Completed
1	Pepi Montes	<i>[Signature]</i>	Dist. Manager	Yes
2	Fernando Valdes	<i>[Signature]</i>	Branch MGR	Yes
3	Gus DeQuesada	<i>[Signature]</i>	Asst MGR	Yes
4	Ozzie Cejas	<i>[Signature]</i>	PLANT MGR	Yes
5	Rita Garcia	<i>[Signature]</i>	Export Rep	Yes
6	Aldo Carasa	<i>[Signature]</i>	ASST. MGR	Yes
7	Eider Quintero	<i>[Signature]</i>	Export. I	Yes
8	Alex Medero	<i>[Signature]</i>	Asst. MGR	Yes
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				

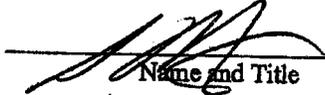
AIRGAS SOUTH

Instructor:

7/16/08

Greg Barnett - Dir. Safety

7/17/08


Name and Title

Signature

Date

U.S. DOT / PHMSA / OPA 90 SOUTHERN REGION

REPORT NUMBER: 08462028

EXHIBIT NUMBER: 36

PAGE NUMBER: 29 OF 69

US-Appendix-0026

Revision: 06

Page: 2 of 2

ISO Container Procedures

Date 7/22/08

Employee JOSE MONTES (Pepi)

Instructor and location Gregory P. Barnett - Kennesaw

ISO Container Procedures ASOBR-0001 and ASOBR-0002 Questions

1. Where can the procedures be found for ISO containers; shipping and documentation and handling of ISO containers?
(On the AINGAS Intranet under Safety & Compliance & Then go to Regional Policies.)
2. What steps do we take if the container comes in not marked with a Special Exemption permit number? *(CONTACT MANUFACTURER)*
3. What are 3 key steps that must be taken in the Shipping process?
(MAKE SURE markings, placards & labeling are correct)
4. We must ensure the driver that picks up the ISO for shipment acknowledges what 3 key items?
(MSDS, Special Permit & Pressure & Temperature log.)
5. What Special Permit usually applies to our operation in Miami?
(SP-11186)
6. What is dangerous goods form called that is initiated by Sales/Exporting?
(IMO)
7. How many signatures are required on the IMO?
(3)
8. Is the OWTT required to be entered on the hazardous material shipping paper? *(YES)*
9. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)? *(YES)*
10. Is the DOT-SP 11186 number required to be displayed on the container, if applicable? *(YES)*

U.S. DOT / PHMSA / OHA 11 SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 16
PAGE NUMBER: 30 OF 61

ISO Container Procedures

Date 7/17/98

Employee Fernando Valdes

Instructor and location Gregory P. Barnett - Kennesaw

ISO Container Procedures ASOBR-0001 and ASOBR-0002 Questions

1. Where can the procedures be found for ISO containers; shipping and documentation and handling of ISO containers?
Airgas Internet under SAFETY & COMPLIANCE. GO TO REGIONAL POLICIES
2. What steps do we take if the container comes in not marked with a Special /Exemption permit number?
CONTACT MANUF.
3. What are 3 key steps that must be taken in the Shipping process?
MARKINGS, PLACARDS, & LABELING IS CORRECT
4. We must ensure the driver that picks up the ISO for shipment acknowledges what 3 key items?
Receipt of MSDS Pressure + Temp Log. Special Perm.
5. What Special Permit usually applies to our operation in Miami?
SP-11186
6. What is dangerous goods form called that is initiated by Sales/Exporting?
IMO
7. How many signatures are required on the IMO?
3
8. Is the OWTT required to be entered on the hazardous material shipping paper?
YES
9. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)?
YES
10. Is the DOT-SP 11186 number required to be displayed on the container, if applicable?
YES.

ISO Container Procedures

Date 7-17-08

Employee GUSTAVO DE QUESADA

Instructor and location Gregory P. Barnett - Kennesaw

ISO Container Procedures ASOBR-0001 and ASOBR-0002 Questions

1. Where can the procedures be found for ISO containers; shipping and documentation and handling of ISO containers?
UNDER AIRLINES SOUTH INTRANET SAFETY + Compliance then go to Regional Policies
2. What steps do we take if the container comes in not marked with a Special /Exemption permit number?

CONTACT MANUFACTURER

3. What are 3 key steps that must be taken in the Shipping process?
TO MAKE SURE MARKING, PLACARDS + LABELING ARE CORRECT.
4. We must ensure the driver that picks up the ISO for shipment acknowledges what 3 key items?
REGISTER OF M.C.D.S, SPECIAL PERMIT + PRESSURE + Temp. Log.
5. What Special Permit usually applies to our operation in Miami?

SP-11186

6. What is dangerous goods form called that is initiated by Sales/Exporting?

IMO

7. How many signatures are required on the IMO?

3

8. Is the OWTT required to be entered on the hazardous material shipping paper?

YES

9. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)?

YES

10. Is the DOT-SP 11186 number required to be displayed on the container, if applicable?

YES

U.S. DOT / PHMSA / OMB SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 32 OF 67

ISO Container Procedures

Date 7/17/2008

Employee OSVALDO CEJAS

Instructor and location Gregory P. Barnett - Kennesaw

ISO Container Procedures ASOBR-0001 and ASOBR-0002 Questions

1. Where can the procedures be found for ISO containers; shipping and documentation and handling of ISO containers?
ON THE AIRGAS SOUTH INTRAJET UNDER SAFETY AND COMPLIANCE AND THEN GO TO REGIONAL POLICES
2. What steps do we take if the container comes in not marked with a Special /Exemption permit number?
CONTACT MFG.
3. What are 3 key steps that must be taken in the Shipping process?
TO MAKE SURE MARKINGS, PLACARDS AND LABELING IS CORRECT
4. We must ensure the driver that picks up the ISO for shipment acknowledges what 3 key items? RECEIPT OF MSDS SPECIAL PERMIT ADD PRESSURE AND TEMP LOG
5. What Special Permit usually applies to our operation in Miami?
SP-11186
6. What is dangerous goods form called that is initiated by Sales/Exporting?
IMO
7. How many signatures are required on the IMO?
3
8. Is the OWTT required to be entered on the hazardous material shipping paper?
YES
9. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)?
YES
10. Is the DOT-SP 11186 number required to be displayed on the container, if applicable?
YES

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 33 OF 69

ISO Container Procedures

Date 7/22/08

Employee Bita M. Garcia

Instructor and location Gregory P. Barnett - Kennesaw

ISO Container Procedures ASOBR-0001 and ASOBR-0002 Questions

1. What is a dangerous goods form called that is initiated by Sales/Exporting? IMO
2. What steps do we take if the container comes in not marked with a Special /Exemption permit number? Contact manufacturer
3. What Special Permit usually applies to our operation in Miami? SP-11186
4. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)? yes
5. What are 3 key steps that must be taken in the Shipping process? to make sure marking, placards, labels, are correct.
6. Where can the procedures be found for ISO containers; shipping and documentation and handling of ISO containers? on the Argos South Intranet under safety and compliance and then go to Regional policy
7. How many signatures are required on the IMO? 3
8. Is the DOT-SP 11186 number required to be displayed on the container, if applicable? yes
9. We must ensure the driver that picks up the ISO for shipment acknowledges what 3 key items? Receipt of MSDS, Special permit & Pressure and temperature tag.
10. Is the OWTT required to be entered on the hazardous material shipping paper? yes

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 34 OF 69

ISO Container Procedures

Date 7-17-8

Employee ALDO CARISA

Instructor and location Gregory P. Barnett - Kennesaw

ISO Container Procedures ASOBR-0001 and ASOBR-0002 Questions

1. Where can the procedures be found for ISO containers; shipping and documentation and handling of ISO containers?

AIRBAS INTRANET SAFETY COMPLIANCE - REGIONAL POLICIES

2. What steps do we take if the container comes in not marked with a Special /Exemption permit number?

CONTACT THE ISO MANUFACTURER

3. What are 3 key steps that must be taken in the Shipping process?

MAKE SURE MARKINGS, PLACARDS + LABELS ARE CORRECT

4. We must ensure the driver that picks up the ISO for shipment acknowledges what 3 key items? MSDS, SPECIAL PERMIT, TEMP + PRESSURE LOGS

5. What Special Permit usually applies to our operation in Miami?

SP 11186

6. What is dangerous goods form called that is initiated by Sales/Exporting?

IMO

7. How many signatures are required on the IMO?

3

8. Is the OWT required to be entered on the hazardous material shipping paper?

YES

9. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)?

YES

10. Is the DOT-SP 11186 number required to be displayed on the container, if applicable?

YES

U.S. DOT / PHMSA / OHME SOUTHERN REGION

REPORT NUMBER: 08462028

EXHIBIT NUMBER: 36

PAGE NUMBER: 35 OF 69

ISO Container Procedures

Date 17 July 08

Employee Eider Razo Quintas

Instructor and location Gregory P. Barnett - Kennesaw

ISO Container Procedures ASOBR-0001 and ASOBR-0002 Questions

1. Where can the procedures be found for ISO containers; shipping and documentation and handling of ISO containers?

On the Airgas South intranet. Under safety and compliance are then go to Regional policies

2. What steps do we take if the container comes in not marked with a Special /Exemption permit number?

Contact Manufacturer

3. What are 3 key steps that must be taken in the Shipping process?

To make sure markings, placards and labeling is correct.

4. We must ensure the driver that picks up the ISO for shipment acknowledges what 3 key items?

Receipt of MSDS, Special Permit and pressure and

5. What Special Permit usually applies to our operation in Miami?

SP-11186

temperature log.

6. What is dangerous goods form called that is initiated by Sales/Exporting?

IMO

7. How many signatures are required on the IMO?

3

8. Is the OWTT required to be entered on the hazardous material shipping paper?

Yes

9. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)?

Yes

10. Is the DOT-SP 11186 number required to be displayed on the container, if applicable?

Yes

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 76 OF 69

ISO Container Procedures .

Date 2/17/08

Employee Alex Medero

Instructor and location Gregory P. Barnett - Kennesaw

ISO Container Procedures ASOBR-0001 and ASOBR-0002 Questions

1. Where can the procedures be found for ISO containers; shipping and documentation and handling of ISO containers?
You can find it on the Aircas South internet under Safety & Compliance and then in regional policies.
2. What steps do we take if the container comes in not marked with a Special /Exemption permit number?
You must contact the manufacturer.
3. What are 3 key steps that must be taken in the Shipping process?
You must make sure that all markings, placards and labeling.
4. We must ensure the driver that picks up the ISO for shipment acknowledges what 3 key items?
They must acknowledge the MSDS, any special permit & pressure and Temperature log
5. What Special Permit usually applies to our operation in Miami?
SP-11186
6. What is dangerous goods form called that is initiated by Sales/Exporting?
IMO
7. How many signatures are required on the IMO?
3
8. Is the OWTT required to be entered on the hazardous material shipping paper?
Yes
9. Is a written record of tank pressure and outside temperature required to be prepared for shipments by water (vessel)?
Yes
10. Is the DOT-SP 11186 number required to be displayed on the container, if applicable?
Yes

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 37 OF 67

Airgas South, Inc.
Supplemental Response to Exit Briefing dated August 21, 2008

17. August 20, 2008, ISO Shipment Documentation

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 38 OF 69



AIRGAS SOUTH

CHECKLIST FOR ISO/CONTAINER/LOOSE
CARGO

Customer OXITEC S.A.
Container # AIR0535001-9
Arrival Date 8/14/2008
Product OXYGEN

		<u>Initiated</u>
1)	ISO Inspection Report (Certification) (PLANT)	o/c
2)	Transport Co. Incoming Receipt (PLANT)	o/c
3)	Visual Inspection Performed per Procedures (PLANT)	o/c
4)	Fill Company Delivery receipt and COA (PLANT)	o/c
5)	Vessel Properly Labeled for Product to be filled (PLANT)	o/c
6)	Pressure / Temperature Log initiated (PLANT)	o/c
7)	One Way Travel Time Calculated (PLANT)	R.G.
8)	Airgas COA (PLANT)	N/A
9)	Departure photos (ACCT MGR/PLANT)	o/c
10)	IMO / Stamped IMO (ACCT MGR/PLANT)	P.G.
11)	Material Safety Data Sheet (MSDS) (ACCT MGR)	R.G.
12)	DOT-SP/Exemption# <u>SP 11186</u> (fill in number) (ACCT MGR)	R.G.
13)	CU Ticket generated (ACCT MGR)	R.G.
14)	Invoice (ACCT MGR)	R.G.
15)	Transport Co. Outgoing Receipt (PLANT)	R.G.
16)	Driver Receipt Form (PLANT)	R.G.
17)	Copy of Driver's Badge (PLANT)	R.G.
18)	Other- _____	_____

Approved By: *Aldo Carran*

U.S. DOT / PHMSA / OHME SOUTHERN REGION
 REPORT NUMBER: 08462028
 EXHIBIT NUMBER: 36
 PAGE NUMBER: 39 OF 69

AIRGAS

AIRGAS SOUTH

DELIVERY RECEIPT / BILL OF LADING

Customer Oxitec, SA.

Container # AIRU 535001-9

Type of Shipment CONT ISO LC

*I have received the following documents from Airgas in good condition:

- | | |
|--|-------------------------------------|
| 1) ORIGINAL IMO | <input checked="" type="checkbox"/> |
| 2) STAMPED IMO <i>N/A</i> | <input type="checkbox"/> |
| 3) MSDS SHEETS | <input checked="" type="checkbox"/> |
| 4) SPECIAL PERMIT/EXEMPTION# <u>SP-11186</u> | <input checked="" type="checkbox"/> |
| 5) PRESSURE / TEMPERATURE LOG | <input checked="" type="checkbox"/> |
| 6) OWTT CALCULATED | <input checked="" type="checkbox"/> |
| 7) COMMERCIAL INVOICE | <input checked="" type="checkbox"/> |
| 8) HAZMAT/SHIPPING MANIFEST | <input checked="" type="checkbox"/> |
| 9) OTHER _____ | <input type="checkbox"/> |

*I hereby acknowledge receipt of the IMO, Material Safety Data Sheets (MSDS), and Special Permit/ Exemption # SP-11186.

Driver's Name Alfredo Lopez

Driver's Signature [Signature]

Company Crowley Lines

Ship Date 8/20/08

*Please attach copy of Driver's ID to form.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 40 OF 67

HORIZON FREIGHT SYSTEM INC.
 8600 BESSEMER AVE. • CLEVELAND, OHIO 44127
 (216) 341-3322 • (216) 429-3538

1102

TRIP NO.



CROWLEY
 CONSIGNEE
PORT
EVELGLADES

SHIPPER

DATE

8/20/08

BILL OF LADING NUMBER

DESCRIPTION AND SPECIAL BILLING INSTRUCTIONS	WEIGHT/MILES	RATE	EXTENSION
ATRU 535001-9 CMC7 121500	LOTT		

EMPTY REPOSITIONING INFORMATION: BK			
TERMINAL	TERMINAL NO.	CHECK/EFS NUMBER	AMOUNT
MIAMI 12	052		
OWNER	TRACTOR		
	2969		
DRIVER	TRAILER		

THE ABOVE DESCRIBED PROPERTY WAS RECEIVED IN GOOD CONDITION

RECEIVED BY _____

DATE _____

TIME _____

CONSIGNOR NAME

UNLOADING	SCHEDULED NOTIFICATION OF ARRIVAL	DATE	TIME	AM	PM	LOADING	SCHEDULED NOTIFICATION OF ARRIVAL	DATE	TIME	AM	PM

THIS BILLING ISSUED FOR DELIVERY PURPOSES ONLY

PLEASE REMEMBER.....

- ◆ If you are involved in an accident:
 - ◆ THE 24 HOUR ACCIDENT LINE IS 866/427-3767
 - ◆ THE 24 HOUR CARGO INCIDENT LINE IS 866/427-3767
- ◆ All fuel tax information: (total miles traveled, states traveled, routes, etc...) must be written in on the bottom half of the log each day.
- ◆ Before you send in your paperwork; Please be sure to include:
 1. Bill of Lading
 2. Fuel receipts
 3. Completed logs

U.S. DOT / PHMSA / OHIO SOUTHERN REGION
 REPORT NUMBER: 08462028
 EXHIBIT NUMBER: 36
 PAGE NUMBER: 41 OF 69

- ◆ Use common sense - drive defensively
- ◆ SAFETY BEGINS WITH YOU.

THANK YOU FOR CHOOSING HORIZON FREIGHT SYSTEM.

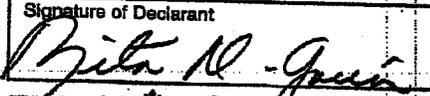
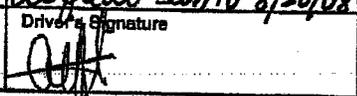
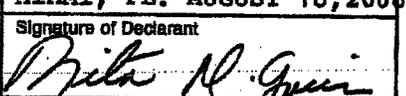
HOME OFFICE COPY

FORM H-8M



U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 26
PAGE NUMBER: 2 OF 69

IMO DANGEROUS GOODS DECLARATION

1 Shipper/Consignor/Sender Airgas South-Miami 9030 N.W. 58th Street Miami, Florida 33178 Tel: (305) 470-8933 Fax: (305) 470-9099		2 Transport Document Number CAT 228477		
6 Consignee OXITEC, S.A, CALLE AURORA #62, SAN PEDRO DE MAGORIS, DOMINICAN REPUBLIC		3 Page of pages 1 1	4 Shipper's Reference 086975-00	
		5 Freight Forwarder's Reference CROWLEY LOGISTIC		
SHIPPER'S DECLARATION I hereby declare that the contents of this consignment are fully and accurately described below by the Proper Shipping Name, and are classified, packaged, marked and labelled/placarded and are in all respects in proper condition for transport according to the applicable international and national governmental regulations.		7 Carrier (to be declared by the Carrier) CROWLEY LINES		
		9 Additional Handling Information EMERGENCY TELEPHONE NUMBERS 1-866-734-3438 1-703-527-3887 24 HOURS		
10 Vessel/Flight & Date CROWLEY S.V772 8/23/08	11 Port/Place Handling MIAMI	12 Port/Place of Discharge HAINA		
13 Destination DOM. REP.				
14 Shipping Marks *Number & Kind of Packages, Description of Goods GW (kg) CUBE (m³)				
1 ISO TANK, UN1073, OXYGEN, REFRIGERATED LIQUID, CLASS 2.2(5.1), WEIGHT: 17,500 KG. (SP-11186)				
"ONE WAY TRAVEL TIME 2.23 HOURS" "DOT-SP11186"				
15 CTU ID No. AIRU535001-9	16 Seal No.	17 CTU Size & Type 20'	18 Tare Mass (kg)	19 Total Gross Mass (kg)
CONTAINER/VEHICLE PACKING CERTIFICATE I hereby declare that the goods described above have been packed/loaded into the container/vehicle identified above in accordance with the applicable provisions of IMDG code 5.4.2. MUST BE COMPLETED AND SIGNED FOR ALL CONTAINER/VEHICLE LOADS BY PERSON RESPONSIBLE FOR PACKING/LOADING		21 Receiving Organization Receipt Received the above number of packages/containers/trailers in apparent good order and condition, unless stated hereon: RECEIVING ORGANIZATION REMARKS:		
20 Name of Company AIRGAS SOUTH		Hauler's Name CROWLEY LINES	22 Name of Company Preparing Note AIRGAS SOUTH	
Name/status of Declarant RITA GARCIA/EXPORT REP.		Vehicle Registration No. S2135I/FLA	Name/Status of Declarant RITA GARCIA/EXPORT REP.	
Place and Date MIAMI, FL. AUGUST 18, 2008		Driver Name and Date Alfredo Santo 8/20/08	Place and Date MIAMI, FL. AUGUST 18, 2008	
Signature of Declarant 		Driver's Signature 	Signature of Declarant 	

STYLE F08 LABELMASTER® (800) 221-5808 www.labelmaster.com



U.S. DOT / PHMSA / OHM SOUTHERN REGION

REPORT NUMBER: 0846202A

EXHIBIT NUMBER: 36

PAGE NUMBER: 43 OF 62

May 8, 2007



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 11186
(FIFTEENTH REVISION)

EXPIRATION DATE: April 30, 2009

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Chart Industries, Inc.
Storage Systems Division
Cleveland, OH
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, mark, sale and use of a non-DOT specification vacuum insulated portable tank conforming with all requirements applicable to a DOT Specification MC 338 cargo tank motor vehicle 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.318 in that portable tanks are not authorized; §§ 176.30 and 176.76(g), except as specified herein.
5. BASIS: This special permit is based on the application of Chart Industries, Inc. dated May 1, 2007, submitted in accordance with § 107.109.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 44 OF 69

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Argon, refrigerated liquid (cryogenic liquid)	2.2	UN1951	N/A
Carbon Dioxide, refrigerated liquid	2.2	UN2187	N/A
Ethane, refrigerated liquid	2.1	UN1961	N/A
Ethylene, refrigerated liquid (cryogenic liquid)	2.1	UN1038	N/A
Helium, refrigerated liquid (cryogenic liquid)	2.2	UN1963	N/A
Methane, refrigerated liquid (cryogenic liquid) or Natural gas, refrigerated liquid (cryogenic liquid), with high methane content	2.1	UN1972	N/A
Nitrogen, refrigerated liquid (cryogenic liquid)	2.2	UN1977	N/A
Nitrous Oxide, refrigerated liquid	2.2	UN2201	N/A
Oxygen, refrigerated liquid (cryogenic liquid)	2.2	UN1073	N/A
Oxygen, refrigerated liquid (cryogenic liquid)	2.2	UN1073	N/A

U.S. DOT / PHMSA / OHME SOUTHERN REGION
 REPORT NUMBER: 08462028
 EXHIBIT NUMBER: 36
 PAGE NUMBER: 48 OF 69

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are 12 models of non-DOT specification portable tanks designed, constructed and "U" stamped in accordance with Section VIII, Division 1 of the ASME Code. Each tank must conform to the design criteria set forth below:

CRYENCO MODEL NUMBER	WORKING PRESSURE (PSIG)	MINIMUM TEMP. (°F)	VOLUME (GALS)	DRAWING NUMBER
TVS-23-PB-45	45	-320	2300	257794
TVS-33-PB-45	45	-320	3306	254967 or 258778
TVS-22-PB-90	90	-320	2283	253005
TVS-32-PB-90	90	-320	3289	253856-10
TVS-54-PB-60	60	-320	5400	252363
TVS-54-VB-60	60	-320	5400	253191
TVS-53-PB-150	150	-320	5350	118467
TVS-53-VB-150	150	-320	5350	253763
TVS-53-B-150-He	150	-453	5200	252846
TVS-52-PB-250	250	-320	5270	251966
TVN-52-EB-350	350	-320	5200	256468
TVN-520B--350	350	-320	5200	256098

Each portable tank is vacuum insulated and enclosed in a frame that meets all requirements of an ISO standard frame except for overall dimensions. The portable tank must conform to Chart Industries, Inc. (formerly Cryenco, Inc.'s) drawings, calculations and specifications on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). Packagings authorized must conform with § 178.338 except as follows:

- (1) § 178.338-2(c): Impact testing is not required for stainless steels used for a lading warmer than -425°F.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
 REPORT NUMBER: 08462028
 EXHIBIT NUMBER: 36
 PAGE NUMBER: 46 OF 67

(2) § 178.338-6(b): Each portable tank in oxygen or nitrous oxide service must be provided with an inspection access hole (manhole) of not less than 16.0 inches (406 mm) diameter. After a final inspection the access hole must be closed by welding using a suitable access cover plate fabricated from the same material as the tank. The tank must be provided with a means of entrance and exit through the jacket, or the jacket must be marked to indicate the access hole location.

(3) § 178.338-10: This section does not apply.

(4) § 178.338-13(a): Lifting lugs, framework and any anchoring to the inner tank or the tank jacket must conform with § 178.338-13(a). The portable tank need not conform to § 178.338-13(b) or (c).

(5) § 178.338-18(a)(1): Each portable tank must be plainly and durably marked "DOT-SP 11186" in place of the DOT Specification Number MC-338.

(6) A portable tank that meets the definition of "container" must meet the requirements of 49 CFR parts 450 through 453, and each design must be qualified in accordance with § 178.270-13(c).

b. TESTING - The portable tank must be reinspected and retested once every five years in accordance with the procedure prescribed in § 180.605(g) for DOT Specification 51 portable tanks. In place of the requirement for visual inspection, before and after vacuum readings must be used to detect leakage. Nitrogen or an inert gas may be used as a test medium in place of air or water as required by § 180.605(h)(3). The test pressure for the inner tank must be determined from the following formula:

$$P_T = 1.25 \times [P_d] - 14.7$$

Where:

P_T = Test pressure, psig

P_d = Design pressure

(the sum of the maximum allowable working pressure, liquid head and 14.7 psi)

U.S. DOT / PHMSA / OHME SOUTHERN REGION

REPORT NUMBER: 0846202a

EXHIBIT NUMBER: 35

PAGE NUMBER: 97 OF 69

c. OPERATIONAL CONTROLS -

(1) Each portable tank must be prepared and shipped as required in § 173.318, as applicable for the lading.

(2) No person may transport a portable tank containing Division 2.1 liquid unless the pressure of the lading is equal to or less than that used to determine the marked rated holding time and the OWTT is equal to or greater than the elapsed time between the start and termination of travel.

(3) For the transport of Division 2.1 liquid, the actual holding time for each tank must be determined after each shipment. If it is determined that the actual holding time is less than 90 percent of the MRHT of the tank, the tank may not be refilled until it is restored to its MRHT or the tank is remarked with the reduced holding time determined by this examination.

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 or its contents 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.

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 48 OF 69

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.

f. Each portable tank must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-SP 11186", in place of "MC 338".

g. Transportation of Division 2.1 (flammable gases) materials are not authorized aboard cargo vessel unless specifically authorized in the Hazardous Materials Table (§ 172.101).

h. New construction is not authorized.

i. Packages permanently marked 'DOT-E 11186', prior to October 1, 2007 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packages marked on or after October 1, 2007 must be marked 'DOT-SP 11186'.

j. Shipping papers displaying 'DOT-E 11186' may continue to be used until October 1, 2007, provided the special permit remains valid.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.

10. MODAL REQUIREMENTS:

a. 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.

b. Shipments by cargo vessel must conform with the following:

(1) The package and its stowage must conform with § 176.76(g). In all situations, the portable tanks must be stowed such that they are readily accessible and can be monitored in accordance with the provisions of this special permit. Portable tanks may be overstowed only if enclosed in ISO frames and the following provisions are met:

U.S. DOT / PHMSA / OHME SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 49 OF 69

(i) The pressure of the lading is equal to or less than that used to determine the marked rated holding time and the OWTT is equal to or greater than the elapsed time between the start and termination of travel.

(ii) The actual holding time for each tank must be determined after each shipment. If it is determined that the actual holding time is less than 90% of the MRHT of the tank, a charged tank may not be overstowed until it is restored to its MRHT or the tank is re-marked with the reduced holding time determined by this special permit.

(2) The legend "One-Way Travel Time ___ Hours" must be marked on the shipping paper or on the dangerous cargo manifest immediately after the container description. The OWTT is determined by the formula:

$$\text{OWTT} = \text{MRHT} - 24 \text{ hours.}$$

(3) A written record of the portable tank's pressure and ambient (outside) temperature at the following times must be prepared for each shipment.

(i) At the start of each trip;

(ii) Immediately before and after any manual venting;

(iii) At least every 24 hours; and

(iv) At the destination point.

(4) Any lading road relief valve set at a pressure lower than that prescribed for the (safety) pressure relief valve must be closed during transportation by cargo vessel.

(5) The requirements of paragraphs, 10.b(2) and (3) above are waived if all of the following conditions are met:

(i) The lading is liquid nitrogen.

(ii) Transportation by cargo vessel is to oil and gas production facilities within the jurisdiction of the United States of America.

(iii) The portable tank is not overstowed with other containers or freight.

c. The portable tank may not be transported in container-on-flat car (COFC) or trailer-on-flat car (TOFC) service except under conditions approved by the Associate Administrator for Safety, Federal Railroad Administration.

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 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 the 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.

U.S. DOT / PHMSA / OHM - SOUTHERN REGION
REPORT NUMBER: 08462028
EXHIBIT NUMBER: 36
PAGE NUMBER: 57 OF 69