

October 5, 2006



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14004
(SECOND REVISION)

EXPIRATION DATE: September 30, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Praxair, Inc.
Danbury, CT
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of DOT Specification 105J500W tank cars having a maximum gross weight on rail of 286,000 pounds. 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.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.203(a) in that marking the special permit number on the shipping paper is waived; and §§ 173.26 and 179.13 in that the authorized maximum gross weight on rail is 286,000 pounds.
5. BASIS: This special permit is based on the application of Praxair, Inc. dated September 29, 2006 submitted in accordance with § 107.105, and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/Hazardous Materials Description	Hazard Class/Division	Identification Number	Packing Group
Carbon dioxide, refrigerated liquid	2.2	UN2187	N/A

7. SAFETY CONTROL MEASURES:a. PACKAGING:

(i) Packaging prescribed are DOT Specification 105J500W tank cars manufactured by Trinity Rail under Certificate of Construction number L056020B and are in accordance with the following drawings:

1. Trinity Rail Drawing D-41675 & D-41580, General Arrangement
2. Trinity Rail Drawing D-43712 & D-43659, Tank Arrangement
3. Trinity Rail Drawing D-48990-05, Truck Arrangement
4. Trinity Rail Drawing D-54084 & D-54123, Fittings Arrangement

(ii) Each tank car must conform with the Association of American Railroads Standards and Recommended Practices, Manual C-II, Specification S-286 effective January 1, 2004, and the following requirements:

1. Puncture Resistance: AAR TC128 Gr. B, normalized heads and shell at 0.818 inches thick.
2. Head Shields: Conforming to the requirements of 49 CFR 179.16.
3. Controlling Longitudinal Loadings: The cars will be equipped with a Miner TF-880 draft gear meeting AAR specification M-901-E.
4. Structural worthiness: Stub-sill designed and built to a million mile fatigue life, calculated by applying an overall load factor of 1.09 to those designs approved for gross rail loads at 263,000.

5. **Trackworthiness:** The cars are equipped with ASF Motion Control trucks that are approved under AAR Specification M-976.
6. **Pressure Relief Device:** Re-closing pressure relief device designed and tested in accordance with 49 CFR 179.15.
7. **Service Equipment Protection:** Top fitting protection designed to 49 CFR 179.100-12(c) and the Association of American Railroad's Manual of Standards and Recommended Practices, Manual C-III, Appendix E, Paragraph 10.2.
8. **Capacity:** Each tank will have an approximate capacity of 23,000 gallons or less.

(iii) Each tank car may not exceed a maximum gross weight on rail of 286,000 pounds provided that the tank is not loaded in excess of the amount authorized per § 173.24b.

b. MARKING - Each tank car operating under the terms of this special permit must be marked "DOT-SP 14004" in four-inch letters and numerals on a contrasting background above the DOT Specification number.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

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

c. Transit routes shall be agreed to, in writing, by participating railroads. The written acceptance shall be submitted to the Associate Administrator for Hazardous Materials Safety (AAHMS) at the address specified at the end of this special permit prior to the first offering on each route.

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d. The additional information requirement for shipping papers in § 172.203(a) is waived.

e. The applicant shall make available its complete maintenance and qualification program to the Federal Railroad Administration upon request (see AAR's Manual of Standards and Recommended Practices, Manual C-111, Recommended Practice RP-263). The maintenance program must incorporate structurally significant items that may be adversely affected by the increase rail load to ensure the continual fitness-for-service of the component based on the inspection method and the inspection interval specified in the maintenance program.

f. Packages permanently marked 'DOT-E 14004 prior to October 1, 2007 may continue to be used under this special permit for the remaining service life the package or until the special permit is no longer valid. Packages marked after October 1, 2007 must be marked 'DOT-SP 14004'.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: The Federal Railroad Administration is to be notified if any unusual incident occurs during the movement by contacting:

Federal Railroad Administration
Hazardous Materials Division
RRS-12, Mail Stop 25
1120 Vermont Avenue, N.W.
Washington, D.C. 20590
(202) 493-6229 or 493-6247

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

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- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

October 5, 2006

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: kah