



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

**September 02, 2022**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DOT-SP 14158  
(NINTH REVISION)

**EXPIRATION DATE: 2026-07-31**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: HyAxiom, Inc.  
East Hartford, CT
2. PURPOSE AND LIMITATIONS:
  - a. This special permit authorizes the transportation of a fuel cell power plant assembly containing packaged Division 4.2, Packing Group II, and Class 8, Packing Group II hazardous materials without meeting the segregation requirement. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Maritime Dangerous Goods (IMDG) Code other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
  - c. Party status will not be granted to special permit.
  - d. This special permit serves as an “exemption” under Chapter 7.9, Section 7.9.1 of the IMDG Code (see IMO MSC/Circ. 1075-Granting Exemptions from the Provisions of the IMDG Code) and as a “Competent Authority Approval” as defined under 49 CFR § 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 176.83(b) and 176.83(c)(2)(ii) and Chapter 7.2, Section 7.2.4, and Chapter 7.6, Section 7.6.3 of the IMDG Code in that a package of Division 4.2 solid material may be transported in the same assembly unit with one or more packages of solids containing Class 8 liquid and Chapter 4.2, Portable Tank Instruction T3, Chapter 4.3, Bulk Container Instruction BK3 in that alternative packaging is authorized.

5. BASIS: This special permit is based on the application of HyAxiom, Inc. dated August 2, 2022, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous Material Description  |                        |                       |               |
|---|------------------------|-----------------------|---------------|
| Proper Shipping Name  | Hazard Class/ Division | Identification Number | Packing Group |
| Self-heating solid, inorganic, n.o.s. (contains copper on zinc oxide alumina substrate) | 4.2                    | UN3190                | II            |
| Solids containing corrosive liquid, n.o.s. (contains phosphoric acid)                   | 8                      | UN3244                | II            |

7. SAFETY CONTROL MEASURES:

a. POWER PLANT ASSEMBLY: A fuel cell power plant assembly may contain Division 4.2 solid, Packing Group II and Class 8 solid, Packing Group II hazardous materials specified in paragraph 6, but may not contain any other hazardous materials. It may contain compatible non-hazardous materials.

b. PACKAGING:

- (1) The Division 4.2 solid must be packaged in a non-DOT Specification portable tank suitable for the transport of liquids in accordance with § 173.241(c).
- (2) The solid containing the Class 8 liquid must be packaged in one or more sift-proof, non-DOT specification closed bulk bins in accordance with § 173.240(c).

8. SPECIAL PROVISIONS:

- a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).
- b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modification or change is made to the package and it is offered for transportation in conformance with this special permit, the HMR, and the IMDG Code.
- c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

- d. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of countries of origin, transit, and destination.
9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, Parts 171-180.
  - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
  - o Registration required by § 107.601 et seq., when applicable.
- Each “Hazmat employee”, as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.
- No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.
- Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- “The Hazardous Materials Safety and Security Reauthorization Act of 2005” (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term “exemption” to “special permit” and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.
12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of 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.:

A handwritten signature in blue ink, appearing to read "Dan B.", is written over a faint circular stamp.

for William Schoonover  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-13, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: Andrew Eckenrode/NICKS