

April 26, 2006



U.S. Department
of Transportation

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

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 14274

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain DOT specification cylinders as part of a Portable Emission Measurement System, that release a controlled amount of certain Division 2.1 and Division 2.2 materials during transportation under the terms and conditions specified herein. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.301(c) in that the requirement to mark each package with the special permit number is waived; and § 177.834(h) in that discharge of the material during transportation is authorized.
5. BASIS: This special permit is based on the application of Horiba Instruments, Inc. dated October 10, 2005 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|-----------------------------------|---------------------------|-----------------------|---------------|
| Proper Shipping Name | Hazard Class/ Division | Identification Number | Packing Group |
| Compressed gas, flammable, n.o.s. | 2.1 | UN1954 | N/A |
| Compressed gas, n.o.s. | 2.2 | UN1956 | N/A |
| Air, compressed | 2.2 | UN1002 | N/A |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT Specification 3AA and DOT Specification 3AL cylinders. The cylinders are part of a Portable Emission Measurement System as described in the Horiba Instruments, Inc. application for special permit on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). The nominal water capacity of the cylinders may not exceed 65.0 pounds. The nominal diameter of the cylinders may not exceed 8.0 inches.

b. TESTING- Each cylinder must be requalified as specified in 49 CFR § 180.209 for DOT Specification 3AA and DOT Specification 3AL cylinders.

c. OPERATIONAL CONTROLS-

(1) The cylinders must be transported in a cylinder mounting frame designed to protect the cylinders from impact in accordance with Horiba Instruments, Inc. Drawing SK0510102 dated September 28, 2005 on file with OHMSPA.

(2) The flow of Division 2.1 and Division 2.2 materials must automatically shut-off if the gas line is accidentally interrupted or leaks occur downstream of the regulator.

8. SPECIAL PROVISIONS:

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

b. The marking requirement in § 172.301(c) is waived.

c. The applicability of this special permit is limited to in-field measurement of engine emissions during normal operation over roads and highways as mandated by 40 CFR, Part 1065, Subpart J.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

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

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

April 26, 2006

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 -- OHMSPA, 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

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: CWFreeman