

May 9, 2007



U.S. Department
of Transportation

East Bldg, PHH-30
1200 New Jersey Ave, S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14321
(SECOND REVISION)

EXPIRATION DATE: July 31, 2008

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Luxfer Gas Cylinders
Riverside, California
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the manufacture, marking, sale, and use of approximately 118 non-DOT specification cylinders, containing a Division 2.2 material, conforming to the provisions of DOT-SP 10915 except that the cylinders were not subjected to proper autofrettage testing by the Independent Inspection Agency at the time of manufacture. This special permit also authorizes the transportation in commerce of life saving appliances that contain the compressed gas cylinder as described above. 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. The safety analyses did not consider the hazards and risks associated with use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.203(a) and 172.301(c) in that the exemption number need not be noted on shipping papers or be marked on packages of Life-saving appliances, self-inflating, UN2990; § 173.219(b)(1) in that

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life-saving appliances containing cylinders that do not comply with HMR are not authorized except as specified herein; and §§ 173.302(a) and 175.3 in that a non-DOT specification cylinder containing a compressed gas is not authorized except as specified herein.

5. BASIS: This special permit is based on the application of Luxfer, Gas Cylinders, Inc. dated June 8, 2006, submitted in accordance with § 107.109 and additional information dated March 23, 2007.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|--|-------------------------------|------------------------------|----------------------|
| Proper shipping name | Hazard Class/ Division | Identification Number | Packing Group |
| Compressed gas, n.o.s. | 2.2 | UN1956 | N/A |
| Life-saving appliances, self inflating | 9 | UN2990 | N/A |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are approximately 118 non-DOT Specification cylinders as follows:

(1) Non-DOT specification fully wrapped carbon-fiber reinforced aluminum lined cylinder, containing compressed gas n.o.s., manufactured and marked in conformance with Basic Requirements for Fully Wrapped Carbon-Fiber Reinforced Aluminum Lined Cylinders (DOT-CFFC) (Fifth Revision), dated March 2007, under DOT-SP 10915 which have not been subjected to the required autofrettage testing at the time of manufacture.

(2) Self inflating life-saving appliances (aircraft emergency escape slide assemblies) that conform to § 173.219 except that the nonflammable compressed gas is packaged in non-DOT specification cylinders, marked DOT-SP 10915 which have not been subjected to the required autofrettage testing at the time of manufacture.

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b. OPERATIONAL CONTROLS -

(1) This special permit only authorizes the 118 cylinders identified in Attachment A of Luxfer's February 14, 2006 application for special permit on file with the Office of Hazardous Materials Special Permits and Approvals.

(2) Cylinders marked DOT-SP 10915 or DOT-E 10915 covered by this special permit which have not been subjected to the required autofrettage testing at the time of manufacture are not authorized for transportation in commerce after the date of their next required requalification. In addition:

(i) Cylinders must be removed from service beginning no later than the next scheduled lifesaving appliance maintenance cycle on or after June 7, 2006.

(ii) Upon removal from service, each DOT-SP 10915 cylinder must be rendered incapable of holding pressure.

(3) Cylinders must be shipped as an integral part of the life-savings appliance or be packaged in accordance with § 173.301(a)(9).

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 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.

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

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- d. Luxfer Gas Cylinders must provide a current copy of this special permit to each person or facility responsible for servicing the emergency escape slide assemblies or cylinders covered by this special permit.
- e. The marking requirement of §§ 172.203(a) and 172.301(c) are waived.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle, cargo aircraft only, and passenger-carrying aircraft.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered. A current copy of the special permit need not be provided to the carrier or carried aboard the aircraft for materials offered for transportation or transported as Life-saving appliances, self-inflating, UN2990.
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.

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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 Bob Richard
Deputy 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: MM Toughiry:kah