

August 12, 2009



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 14503  
(FIRST REVISION)

|                                |
|--------------------------------|
| EXPIRATION DATE: June 30, 2013 |
|--------------------------------|

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Gay Lea Foods Co-operative Limited  
Guelph, Ontario, Canada  
(US Agent: Shipmate Inc., Torrance, CA)
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of aerosol foodstuffs in a non-refillable metal container similar to DOT Specification 2P and 2Q. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - 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. 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 § 173.306(b)(1) in that the pressure of 140 psig at 130°F is exceeded.
5. BASIS: This special permit is based on the application of Gay Lea Foods Co-operative Limited dated April 20, 2009, and additional information dated June 16, 2009 submitted in accordance with § 107.105 and the public proceeding thereon and § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description                            |                           |                       |               |
|------------------------------------------------------------|---------------------------|-----------------------|---------------|
| Proper Shipping Name                                       | Hazard Class/<br>Division | Identification Number | Packing Group |
| Aerosols, non-flammable, (each not exceeding 1 L capacity) | 2.2                       | UN1950                | N/A           |
| Consumer commodity                                         | ORM-D                     | N/A                   | N/A           |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a non-refillable metal container conforming to the requirements of a DOT Specification 2P or 2Q except as follow:

(1) Each container similar to a DOT Specification 2P container is equipped with a rim-venting release (RVR) device or dome expansion device designed to relieve pressure at not less than 175 psig and not over 250 psig. Each container similar to a DOT Specification 2Q container is equipped with a rim-venting release (RVR) or dome expansion device designed to relieve pressure at not less than 180 psig and not over 300 psig.

(2) One out of each case lot of 10,000 containers or less must be pressure tested to destruction. Failure of the 2P container at pressure below 175 psig or over 250 psig or failure occurring at other than the RVR device or dome expansion device will reject the lot. Failure of the 2Q container at pressure below 180 psig or over 300 psig or failure occurring at other than the RVR device or dome expansion device will reject the lot. A case lot is defined as a lot of containers of the same size and design and built to the same specification by one manufacturer only.

(3) In lieu of the marking required by §178.33-9(a)(1), or § 178.33a-9(a)(1), each container must be marked "DOT-SP 14503".

(4) The maximum charge pressure of the container at 75°F is 150 psig.

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b. OPERATIONAL CONTROLS - Containers must be packed in strong outside containers conforming with § 173.301(a)(9). Each outside package must be legibly marked "THIS SIDE UP" or "THIS END UP", as appropriate, to indicate the upward position of the inside packaging.

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 modification or change is 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.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel, aircraft or motor vehicle used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

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.

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 Theodore L. Willke  
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-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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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](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm)

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