

March 20, 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 14792

EXPIRATION DATE: February 28, 2011

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: CP Industries
McKeesport, PA
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain DOT 3AAX and DOT 3T seamless cylinders that have been repaired. 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 §§ 172.203(a) and 172.301(c) in that the marking of the special permit number is waived; and §§ 180.205(f)(3) and 180.212 in that repair of a seamless cylinder is not authorized, except as provided herein.
5. BASIS: This special permit is based on the application of CP Industries (CPI) dated November 5, 2008 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
Hazardous materials authorized for transportation in DOT 3AAX or DOT 3T cylinders	2.1, 2.2, and 2.3	As appropriate	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are twenty-one (21) DOT Specification 3AAX and 3T cylinders which have torch burn indications and are identified by the following serial numbers:

Seven (7) DOT 3T cylinders (Tubes) - Manufactured by United States Steel (USS) in 1975 - S/N 4630-118, 4630-184, 4630-189, 4630-251, 4630-286, 4630-298, and 4630-306;

Seven (7) DOT 3T cylinders (Tubes) - Manufactured by USS in 1977 - S/N J600, J634, J653, J655, J661, J665, and J675;

One (1) DOT 3T cylinder (Tube) - Manufactured by USS in 1974 - S/N 4689-13;

One (1) DOT 3T cylinder (Tube) - Manufactured by CPI in 2001 - S/N 71019;

Four (4) DOT 3AAX cylinders (Tubes) - Manufactured by CPI in 2001 - S/N 70526, 71295, 71315, and 71317; and

One (1) DOT 3AAX cylinder (Tube) - Manufactured by USS in 1982 - S/N 6929-50.

b. OPERATIONAL CONTROLS -

(1) Each tube must be evaluated for the heat damage using the inspection and test criteria contained in the CPI application and confidential procedures on file

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with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA).

(2) Each DOT 3AAX tube with a hardness value above 30 HRC and DOT 3T tube with a hardness value above 35 HRC must be subjected to a complete heat treatment or to be rejected and marked in accordance with § 180.205(h).

(3) A tube authorized under this special permit may only be repaired once.

8. SPECIAL PROVISIONS:

a. 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 or its contents and it is offered for transportation in conformance with this special permit and the HMR.

b. Each tube that has been repaired under this special permit must be marked "RTB" near the retesting markings in accordance with the provisions § 180.213(b). Additionally, the marking requirements of §§ 172.203(a) and 172.301(c) are waived.

c. A current copy of this special permit must be maintained at each facility where the package is manufactured under this special permit. It must be made available to a DOT representative upon request.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or 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.

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- 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.

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.

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