

April 11, 2012



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 14953
(SECOND REVISION)

EXPIRATION DATE: March 31, 2016

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Applied Laboratories, Inc.
Columbus, IN
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of DOT Specification 2Q non-refillable aluminum inside containers which have been leakage tested by an 100% automated in-line pressure check in lieu of the hot water bath test. 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(a)(3)(v) in that the hot water bath test is required, except as provided herein.
5. BASIS: This special permit is based on the application of Applied Laboratories, Inc. dated November 29, 2011 submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|---|-------------------------------|------------------------------|----------------------|
| Proper Shipping Name | Hazard Class/ Division | Identification Number | Packing Group |
| Aerosols, <i>non-flammable, (each not exceeding 1 L capacity)</i> | 2.2 | UN1950 | N/A |
| Consumer Commodity | ORM-D | None | N/A |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a DOT Specification 2Q aluminum non-refillable inside container with an inner laminate bag containing a non-hazardous material. The fill/discharge valve is attached to a laminated bag. The bag-on-valve inner package is inserted into the aluminum inside container and affixed by a crimping process. The bags have a nominal fill capacity of 57 mL, 90mL, 100 mL, 105 mL, 125 mL, 145 mL, 200mL, and 235 mL (Table 1: Bag-on-Valve Aerosol Products Summary from the application on file with Office of Special Permits and Approvals). The intermediate space between the two packaging systems is filled with compressed air to a nominal pressure ranging from a minimum of 40 psig to a maximum 145 psig (Table 1: Bag-on-Valve Aerosol Products Summary from the application on file with Office of Special Permits and Approvals). The can, laminate bag and mounting cup conform to drawings and specifications as described in the attached in Appendices 1 through 7 (On file with Office of Special Permits and Approvals).

b. OPERATIONAL CONTROLS -

(1) Prescribed containers may be transported under the provisions of §173.306(a).

(2) The gas (compressed air) must remain around the laminate bag and must not come in contact with the contents in the bag.

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c. TESTING- As an alternative to the hot water bath test the following testing procedures must be followed:

(1) The automated in-line, pre-fill pressure check must be conducted on 100% of all non-refillable aluminum DOT 2Q containers produced.

(2) If the pressure measured on any container during the in-line pressure check is less than prescribed the Batch Record pressure specifications then the container is rejected.

(3) After pressurization, the can is filled with formulation and each can (100%) automatically weighed. The filled can must conform to prescribed fill weights as outlined in the Batch Record. Non-conformance to the required fill weight range will automatically reject the filled can.

(4) In addition to the automated line controls described in 1 & 2 above, in-process sampling and testing is carried out every 30 minutes for pressure, fill weight, crimp depth and crimp radial.

(5) Sampling every two hours is also carried out by Quality Control verifying pressure, fill weight, crimp depth and crimp radial.

(6) Non-conformance to any in-process control requirements for the specified parameter will require implementation of corrective action(s) to ensure proper can integrity and safety.

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.

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- c. Each container must be marked "DOT-SP 14953" as specified in § 172.301(c) and shipped in strong outside packagings.
- d. Containers filled with a material meeting the definition of a "Consumer commodity" in § 171.8 may be re-classed as ORM-D and shipped as "Consumer Commodity" in accordance with § 173.306(i).
9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle, Cargo aircraft, Cargo Vessel, Passenger-carrying aircraft, Rail Freight.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel and aircraft, used to transport packages covered by this special permit. The shipper must furnish a current copy of this special permit 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 Dr. Magdy El-Sibaie
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.

PO: L Majors/kah