

April 12, 2013



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 15743  
(FIRST REVISION)

**EXPIRATION DATE: January 31, 2015**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Midwest Cylinder, Inc.  
Cleves, OH
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the repair of certain DOT 4L cylinders without requiring pressure testing. 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 permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 180.211(c)(2)(i) in that repaired cylinders do not have to be pressure tested in accordance with the specifications under which they were originally manufactured.
5. BASIS: This special permit is based on the application of Midwest Cylinder, Inc. dated October 30, 2012 and additional information dated January 14, 2013, February 18, 2013 and February 28, 2013, submitted in accordance with § 107.105 and the public proceeding thereon and additional information dated March 8, 2013.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Oxygen, refrigerated liquid (cryogenic liquid)	2.2, 5.1	UN1073	N/A
Nitrogen, refrigerated (cryogenic liquid)	2.2	UN1977	N/A
Argon, refrigerated liquid (cryogenic liquid)	2.2	UN1951	N/A
Carbon dioxide, refrigerated liquid	2.2	UN2187	N/A
Nitrous oxide, refrigerated liquid	2.2	UN2201	N/A
Any hazardous material authorized in DOT 4L cylinders	As appropriate	As appropriate	As appropriate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a DOT specification 4L cylinder that is manufactured in accordance with the requirements of 49 CFR 178.57.

b. OPERATIONAL CONTROLS -

- (1) Repair procedures are carried out in accordance with the Midwest Cylinder "Cryogenic Dewar Procedure Manual".
- (2) The results of the vacuum chamber and leak detection tests must be reported to the Approvals and Permits Division on an annual basis.

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(3) Any repair performed in accordance with the provisions of this special permit must be performed by a person holding a requalifier identification number (RIN) approval to repair DOT specification cylinders, as specified in 49 CFR 107.805. Additionally, upon completion of the repair, the cylinder must be marked in accordance with the provisions of 49 CFR 180.213.

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: Modes of transportation authorized in accordance with the Hazardous Materials Table.

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

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.

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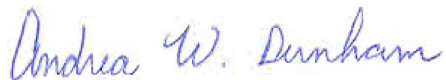
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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.

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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). Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

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