



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

November 02, 2021

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 15744
(THIRD REVISION)

EXPIRATION DATE: 2023-09-30

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Linde Gas & Equipment Inc.
Danbury, CT
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the use of certain DOT Specification 3A, 3AX, 3AA, 3AAX and 3T cylinders, cylinders manufactured under DOT-SP 9001, DOT-SP 9370, DOT-SP 9421, DOT-SP 9706, DOT-SP 9791, DOT-SP 9909, DOT-SP 10047, DOT-SP 10869, and DOT-SP 11692, and cylinders manufactured to the ISO 9809-1 and ISO 9809-2 standards for the transportation in commerce of the compressed gases described in paragraph 6 below, when retested by one hundred percent (100%) ultrasonic examination (UE) in lieu of the internal visual inspection and the hydrostatic retest. Cylinders used to transport Division 2.1 and 2.2 hazardous materials must be requalified at least once every ten years. 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. Party status will not 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) in that marking the special permit number on shipping papers is waived; § 180.205(c), § 180.209(a), and part of § 180.209(b) in that cylinders may be requalified every ten years and are not required to be hammer tested prior to each refill; and § 180.209(b)(1)(iv) in that ultrasonic examination is authorized in lieu of internal visual inspection and hydrostatic testing and visual inspection.

5. BASIS: This special permit is based on the application of Praxair Distribution, Inc. dated June 28, 2019, submitted in accordance with § 107.109 and additional information dated October 19, 2021.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Liquefied or non-liquefied compressed gases, or mixtures of such compressed gases, classed as Division 2.1, (flammable gas) Division 2.2, (nonflammable gas) or Division 2.3, (gases, which are Toxic by Inhalation (TIH)), which are authorized in the Hazardous Materials Regulations for transportation in DOT 3A, 3AA, and 3BN cylinders and those hazardous materials authorized under DOT-SP 9001, DOT-SP 9421, DOT-SP 9706, DOT-SP 9909, DOT-SP 10047, DOT-SP 9370, DOT-SP 9791, DOT-SP 10869, and DOT-SP 11692.*	2.1, 2.2, or 2.3, as applicable	As Applicable	NA

*Note: Cylinders containing Division 2.3 gases must be requalified once every 5 years.

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Prescribed packagings are DOT specification 3A, 3AX, 3AA, 3AAX and 3T cylinders, cylinders manufactured under DOT-SP 9001, DOT-SP 9370, DOT-SP 9421, DOT-SP 9706, DOT-SP 9791, DOT-SP 9909, DOT-SP 10047, DOT-SP 10869, and DOT-SP 11692, and cylinders manufactured to the ISO 9809-1 and ISO 9809-2 standards. Each cylinder is subjected to periodic retesting, re-inspection and marking as prescribed in § 180.209, except that:

- (1) The cylinder must be examined by the 100% ultrasonic method in lieu of the hydrostatic test and internal visual inspection. The cylinder must be subjected to an external visual examination and retested and marked in accordance with the UE procedure described in DOT-SP 14206. A cylinder that has been exposed to fire or to excessive heat may not be retested under the terms of this special permit.
- (2) Hammer test is not required.

(3) Each cylinder that is used to transport Division 2.1 or 2.2 hazardous materials must be retested at least once every 10 years. The 10-year requalification period is not authorized for cylinders used to transport Division 2.3 hazardous materials.

b. OPERATIONAL CONTROLS:

(1) Prior to each filling, the company filling the cylinder must ensure that:

(i) Gas mixtures are chemically compatible with the cylinder material (aluminum alloy) and do not have an adverse effect on the cylinder's strength.

(ii) The quality of the gas or gaseous mixture meets the requirements of § 180.209(b)(ii) and has a dew point below minus 52 °F at 1 atmosphere.

(2) Prior to each fill, the cylinder under this special permit must be externally inspected in accordance with CGA Pamphlet 6.1.

(3) Any cylinder exhibiting evidence of fire or excessive heat damage may not be retested under the terms of this special permit.

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, and cargo-only aircraft.

10. MODAL REQUIREMENTS: None, other than required by the HMR.

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 William Schoonover
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-13, 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 <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: Toughiry/NICKS