

June 20, 2014



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 16065

EXPIRATION DATE: May 31, 2016

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: American Spraytech
North Branch, NJ
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of DOT Specification 2P non-refillable aluminum inside containers which have been tested by an alternative method in lieu of the hot water bath test. In lieu of the hot water bath, each container will be subject to an automated pressure test on the line. 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 use of a leakage test other than a hot water bath is not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of American Spraytech dated December 17, 2014 submitted in accordance with § 107.105 and the public proceeding thereon.

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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, 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 DOT Specification 2P non-refillable inside container with inner aluminum/PET laminate bag containing a non-hazardous material. The fill/discharge valve is attached to the laminated bag. The bag-on-valve inner package is inserted into the aluminum inside container and affixed with a crimping process. The bag has a nominal fill capacity of 6.5 fl. oz. (192 ml). The intermediate space between the two packaging systems is filled with compressed nitrogen to a nominal pressure of 115 psig. The can, laminate bag, and valve conform to drawings on file with the Office of Hazardous Materials Approvals and Permits (OHMAP). Packaging meets all requirements of § 173.306(a)(3) except for the hot water bath test requirement of § 173.306(a)(3)(v).

b. OPERATIONAL CONTROLS -

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

(2) The inert nitrogen gas must remain around the aluminum/PET pouch and must not come in contact with the contents of the pouch.

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

(1) For each new design, the aluminum/PET pouch must be tested at 130°F for 60 days for any leakage or distortion with the product.

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(2) The automated in-line pressure check must be conducted on 100% of all non-refillable aluminum DOT 2P containers produced under this special permit.

(3) If the pressure measured on a container during the in-line pressure check is less than 110 psig or greater than 120 psig, the container must be rejected.

(4) One sample container every 30 minutes must be randomly selected from the line and be inspected for proper closures and verification of its filling and vapor pressure.

(5) If the container shows any evidence of improper closure or if the filling or vapor pressure is out of specifications, then the Quality Assurance Inspector shall immediately pull out five more samples and repeat the testing. The necessary corrective actions must be implemented to ensure proper closure and vapor pressure is maintained.

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.

c. MARKING -

(1) Each container must be plainly and durably marked "DOT-SP 16065" as specified in § 172.301(c) and be shipped in strong outside packagings.

(2) Each outside packaging must be marked "INSIDE CONTAINERS MUST COMPLY WITH DOT-SP 16065".

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.
10. MODAL REQUIREMENTS: None.
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: BeMoore