

September 29, 2017



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 20554

EXPIRATION DATE: 2018-02-28

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Praxair, Inc.
Danbury, CT
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the transportation in commerce of oxygen, refrigerated liquid in MC 338 cargo tanks that are not equipped with an on-vehicle remotely controlled self-closing shutoff valve as required at §178.338-11(c). 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 development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 178.338-11(c) in that the DOT Specification MC 338 cargo tanks authorized to transport oxygen, refrigerated liquid under this special permit are not equipped with an on-vehicle remotely controlled self-closing shutoff valve.

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5. BASIS: This special permit is based on the application of Praxair, Inc. dated September 27, 2017, submitted in accordance with § 107.117 and the determination that it is necessary to protect life and property.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Oxygen, refrigerated liquid	2.2	UN1073	N/A

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - The authorized packagings are DOT specification MC-338 cargo tanks in conformance with all requirements of the HMR, except they are not equipped with on-vehicle remotely operated shutoff valves required in §178.338-11(c) for the transportation of oxygen, refrigerated liquid.
- b. OPERATIONAL CONTROLS -
- (1) MC-338 cargo tanks transporting UN1073, oxygen, refrigerated liquid to U.S. territories must be charged in the United States and must only be transported to, from, or within the United States in support of hurricane relief efforts in U.S. territories.
- (2) Tanks must be attended at all times during loading and unloading operations by a qualified person. For the purposes of this requirement, "attended" and "qualified" must have the meanings described in § 177.834(i)(3) and (4), respectively.
- (3) The shipping paper must identify the MC-338 cargo tank with the special permit number "DOT-SP 20554".

8. SPECIAL PROVISIONS:

- a. A person who is not a holder of this special permit, but receives a packaging covered by this special permit, may reoffer it for transportation provided no modification or

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change is made to the packaging and it is offered 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. Activities authorized under this special permit are limited to hurricane relief efforts in U.S. territories.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle 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.
 - 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.

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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 Materials 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: Andrew Eckenrode/Victor Casillas