



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

August 12, 2021

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21025
(THIRD REVISION)

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the filling and offering for transportation in commerce of certain DOT specification cylinders that are up to 12 months overdue for periodic requalification for relief efforts during the coronavirus disease 2019 (COVID-19) public health emergency as determined by the Secretary of Health and Human Services and will terminate at such time as the Public Health Emergency ends. 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.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171- 180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.301(a)(6) and § 180.205(c) in that a DOT specification cylinder may not be refilled and offered for transportation after its periodic retest date has passed, except as specified herein.
5. BASIS: This emergency special permit is based on the application of Airgas USA, LLC dated August 11, 2021 submitted in accordance with § 107.117 the determination that it is necessary to prevent significant injury to persons.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Oxygen, compressed	2.2	UN1072	N/A
Oxygen, refrigerated liquid (<i>cryogenic liquid</i>)	2.2	UN1073	N/A

7. SAFETY CONTROL MEASURES:

- a. PACKAGING: Prescribed packagings are DOT Specification cylinders that are authorized for the specific hazardous materials listed above. The cylinders meet all requirements of the HMR except they are overdue for periodic requalification by no more than 12 months. These cylinders may only be refilled and offered for transportation for use during the COVID-19 public health emergency.
- b. TESTING: The grantee must perform a complete external visual inspection, in accordance with the applicable CGA Pamphlet prior to refilling and offering for transportation each overdue DOT specification cylinder. Cylinders that fail the external visual inspection may not be refilled.

8. SPECIAL PROVISIONS:

- a. Persons using cylinders authorized by this special permit may only offer for transportation the cylinders to a grantee of this special permit.
- b. A person who is not a holder of this special permit, but 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 offered for transportation in conformance with this special permit and the HMR.
- c. 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.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.

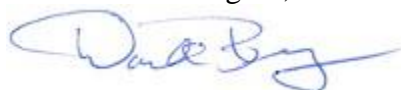
Each “Hazmat employee”, as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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 William Schoonover
Associate Administrator for Hazardous Materials Safety

August 12, 2021

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 <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: TG