



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

East Building, PHH-30
1200 New Jersey Avenue
S.E.
Washington, D.C. 20590

DOT-SP 21031

EXPIRATION DATE: 2020-10-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Hexagon Lincoln, LLC.
Lincoln, NE
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the filling and offering for transportation in commerce of non-DOT specification composite overwrapped pressure vessels manufactured under DOT-SP 14951 that are up to 12 months overdue for periodic requalification during the COVID-19 Public Health Emergency as determined by the Secretary of Health and Human Services and will terminate when 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, 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.

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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 composite overwrapped pressure vessel authorized under special permit 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 Hexagon Lincoln LLC, dated April 2, 2020, submitted in accordance with § 107.117 and 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
Hazardous Materials listed in the § 172.101 Hazardous Materials Table that are authorized in non-DOT specification composite overwrapped pressure vessels (COPVs) that are authorized under DOT-SP 14951	2.1 and 2.2	As appropriate	N/A

7. SAFETY CONTROL MEASURES:
- a. PACKAGING: Prescribed packagings are non-DOT specification composite overwrapped pressure vessels (COPVs) that are authorized for the specific hazardous material. The COPVs meet all requirements of DOT-SP 14951 except they are overdue for periodic requalification by no more than 12 months. These COPVs may only be refilled and offered for transportation for use during the COVID-19 Public Health Emergency.

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b. Regualification: The regualification may be waived during the emergency period provided the grantee ensures the following:

(i) Prior to each filling, COPVs must be subjected to an external visual inspection, in accordance with CGA pamphlet C-6.2 and Hexagon Lincoln, LLC Service Bulletin 10-01-002. A COPV that fails either inspection must not refilled.

c. OPERATIONAL CONTROLS:

(1) The User/Owner/Operator of the module must present the qualifying unit and operational logs to either:

(i) A RIN holder that is authorized for either Method 1 (Hydraulic Proof Pressure Testing, or Method 2 (Modal Acoustic Emission Testing)

(ii) Hexagon Technical Services for inspection.

(2) The Inspector must review the operational logs and ensure compliance to the Operational Controls of DOT-SP 14951. The Inspector must ensure the required equipment is installed and the unit has not been involved in an incident subject to the reporting requirements of DOT-SP 14951, Section 12.

(3) The Inspector will perform a visual inspection in accordance with CGA pamphlet C-6-2 and with Hexagon Lincoln LLC service Bulletin 10-01-002, titled "Hexagon Lincoln, LLC Bulk Hauling TITAN Module Inspection Manual" on file with the Approvals and Permits Division.

(4) The Inspector will issue a signed certification of inspection of convenient format detailing the organization, place, date and inspector performing the visual inspection. This certification must be made available to PHMSA upon request.

(5) COPVs involved in a rollover accident or subject to other significant impact damage are not authorized for filling under this special permit.

D. MARKING: The COPVs are not required to be marked with this special permit number DOT-SP 21031, but the Inspector will provide a certification that the inspection was performed in accordance with Sections 7.b and 7.c above. A copy of certificate will be carried on the motor vehicle along with a copy of DOT-SP 14951 and a copy of DOT-SP 21031.

8. SPECIAL PROVISIONS:

a. A person who purchased a COPV assembly authorized by DOT-SP 14951 may offer it for transportation provided no modification or change is made to the packaging and it is offered for transportation in conformance with this special permit and the HMR.

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.

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

April 20, 2020

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: Mark Toughiry