



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

August 22, 2024

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21063
(FIFTH REVISION)

EXPIRATION DATE: 2026-08-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Mission Systems Orchard Park Inc.
Orchard Park, NY
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain gases in non-DOT specification cylinders. 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 § 173.302(a)(1) in that non-DOT specification cylinders are not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of Cobham Mission Systems Orchard Park Inc. dated June 21, 2024, submitted in accordance with § 107.117 and the determination it is necessary for immediate national security.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Argon, compressed	2.2	UN1006	N/A
Helium, compressed	2.2	UN1046	N/A
Nitrogen, compressed	2.2	UN1066	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Prescribed packaging is a non-DOT specification packaging, described as a missile gas storage system, consisting of a welded stainless steel sphere, and an electric squib containing a Division 1.4 explosive. All explosive materials must be approved as required by § 173.56. The packaging must comply with drawings B40450, B42796, and B40450-2 as described in the specifications on file with the Office of Hazardous Materials Safety and in compliance with DOT Specification 39 (§ 178.65) except as follows:

- (1) Maximum size may not exceed 55 cubic inches. Maximum service pressure may not exceed 9,125 psig at 70 °F. The minimum test pressure shall be the maximum pressure of contents at 130° F, and at least 11,407 psig.
- (2) The material must be one of the following heat treatable steels: Maraging 250, Carpenter custom 455, or PH 13-8 MO steels.
- (3) All welds must be 100 percent radiographically inspected.
- (4) One cylinder taken from the beginning of each lot and one from each 250 or fewer successively produced within the lot thereafter must be hydrostatically tested to 2.0 times the test pressure without failure. In the event there are multiple drawing numbers in the lot, at a minimum, one of each part number must be hydrostatically tested to 2.0 times the test pressure without failure. The lot must be rejected if a failure occurs at a gauge pressure less than 2.0 times the test pressure.
- (5) A “lot” can also be defined using any combination of the following three drawing numbers: B40450-2, B40450, and B42796.
- (6) Spheres tested per § 178.65(f)(2) must be scrapped.

(7) Flattening test must be performed on one cylinder taken from two successive production lots heat treated within three weeks. The number of cylinders in a lot may not exceed 250. Flattening between flat plates is authorized.

(8) Cylinders or test rings may not crack when flattened so their out surfaces are not more than ten times wall thickness apart.

(9) § 178.65(i)(2): Cylinders must be marked “DOT-SP 21063” instead of “DOT-39”.

(10) § 178.65(i)(viii)(B): Each cylinder must be marked: “This cylinder must not be refilled more than 5 times.”

b. OPERATIONAL CONTROLS:

(1) Cylinders must be shipped in strong outside packagings in accordance with § 173.301(a)(9).

(2) Each cylinder may be refilled a maximum of 5 times to the service pressure marked on the cylinder provided each cylinder is inspected and proof pressure tested to the test pressure prior to refilling. Topping off is considered a refill. Cobham Mission Systems Orchard Park Inc. must maintain a record of refills by serial number.

8. SPECIAL PROVISIONS:

a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).

b. 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.

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, rail freight, cargo vessel, and cargo-only aircraft.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel, aircraft, or motor vehicle used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.

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.

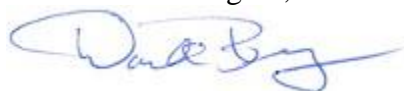
Each “Hazmat employee”, as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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: CWF/TG