

January 28, 2021



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 21175

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This emergency special permit authorizes the transportation in commerce of plastic aerosols classed as Division 2.1 for the purposes of testing and disposal. 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. 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 § 173.306(a)(5) in that an aerosol classified as Division 2.1 may not be transported as limited quantity in accordance with that paragraph, except as authorized under this special permit.
5. BASIS: This emergency special permit is based on the application of I-K-I Manufacturing Co., Inc. dated January 6, 2021 submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

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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, flammable, (each not exceeding 1 L capacity) | 2.1 | UN1950 | N/A |

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Prescribed packagings are non-DOT specification plastic aerosols meeting the following requirements:

(1) The capacity of the container must not exceed 1 L (61.0 cubic inches).

(2) The gauge pressure in each container must not exceed 9.65 bar (140 psig) at 54.4 °C (130 °F).

(3) The liquid phase of each aerosol must contain one of the following formulations:

(i) The base product contains greater than 20% by volume (15.8% by weight) up to 100% of ethanol, propanol, other water miscible alcohols, or mixtures thereof in an aqueous mix, and the propellant is nonflammable compressed gas.

(ii) The base product contains greater than 20% by volume (15.8% by weight) up to 100% of ethanol, propanol, other water miscible alcohols, or mixtures thereof in an aqueous mix, and is packaged in a compartmented container which separates the product from the propellant, as typified by a bag-on-valve (BOV) package, bag-in-container package, or piston in container package, and the propellant is nonflammable compressed gas or mixtures thereof.

(iii) The base product contains not greater than 7% by weight of an emulsified, liquefied, flammable gas propellant within an aqueous base,

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said propellant to remain emulsified for the life of the product. Where such propellant is not emulsified for the life of the product, then the propellant shall be nonflammable.

(iv) The base product is an oil (petroleum, silicone, vegetable, etc.) with a flash point greater than 85 °C (185 °F) and with a nonflammable compressed gas propellant.

(v) The base product is an oil (petroleum, silicone, vegetable, etc.) with a flash point greater than 85 °C (185 °F) packaged in a compartmented container which separates the product from the propellant, as typified by a bag-on-valve (BOV) package, bag-in-container package, or piston in container package, and the propellant is nonflammable compressed gas or nonflammable liquefied gas.

(vi) The base product is Extra Virgin Olive Oil pan spray and is packaged in a compartmented container which separates the product from the propellant, as typified by a bag-on-valve (BOV) package, bag in can, or piston type packaging and the propellant is nonflammable compressed gas, nonflammable liquefied gas or mixtures thereof.

(4) The liquid content of the material and gas must not completely fill the container at 54.4 °C (130 °F).

(5) The container must be capable of withstanding without bursting a pressure of at least 17.1 bar (248 psig).

(6) Aerosols must be packaged in strong outer packagings with not more than eight aerosols separated by internal dividers per package. The gross mass of the completed package must not exceed 8 kg (17.6 pounds).

b. TESTING: After filling, each aerosol must be subjected to a hot water bath test in accordance with § 173.306(a)(5)(v) without leakage.

c. MARKING AND LABELING: Packages are not subject to the labeling requirements of Subpart E of Part 172 of the HMR. Individual aerosols are not subject to the special permit

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marking requirements of § 172.301(c). The completed package is not subject to the marking requirements of § 173.306(a)(5)(vi). Each completed package must be marked as follows:

(1) The Limited Quantity marking as prescribed in §172.315(a).

(2) The special permit number "DOT-SP 21175" in letters and numerals at least 12 mm (0.5 in) high.

d. OPERATIONAL CONTROLS:

(1) Notwithstanding the exception provided in § 173.306(i), packages shipped in accordance with this special permit are subject to the shipping paper requirements of Subpart C of Part 172 of the HMR and the placarding requirements of Subpart F of Part 172 of the HMR.

(2) Packages shipped in accordance with this special permit must be loaded at the shipper's location and unloaded at the consignee's location without any intermediate loading or unloading. One-time transportation of each package is authorized only from the shipper to a fire testing facility. Additionally, undamaged aerosols not consumed in testing are authorized for an additional one-time shipment from the fire testing facility to a disposal facility provided the shipper is a party to this special permit.

(3) Packages shipped in accordance with this special permit must be loaded on and secured (e.g., by shrink-wrapping or banding) to pallets or other suitable handling devices.

(4) Transportation in accordance with this special permit is authorized only by contract or common carrier, in a motor vehicle under exclusive use.

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.

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- b. 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: A current copy of this special permit must be carried aboard each 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.

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.

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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-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: kah