



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

**September 03, 2024**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DOT-SP 21774  
(FIRST 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 transportation in commerce of non-specification cylinders exceeding 900 mL in capacity and containing a liquefied gas as fire extinguishers. 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 § 172.203(a) in that shipping papers need not bear the special permit number; § 172.301(c) in that cylinders need not be marked with the special permit number; and § 173.309(c) in that the non-specification cylinder may exceed 900 mL in capacity.
5. BASIS: This emergency special permit is based on the application of Tym's LLC dated May 14, 2024, submitted in accordance with § 107.117 and the determination it is necessary to prevent significant economic loss, and the additional information submitted August 12, 2024.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Fire extinguishers <i>containing compressed or liquefied gas</i>	2.2	UN1044	N/A

7. SAFETY CONTROL MEASURES:a. PACKAGING:

- (1) Packagings prescribed are non-specification cylinders containing a liquefied gas. The cylinders must meet all requirements for non-specification fire extinguishers in 49 CFR § 173.309(c) except that the capacity exceeds the limit of 900 mL (55 cubic inches) for liquefied gas. Only fire extinguishers manufactured after 1976 are authorized.
- (2) Fire extinguishers must have been originally designed, certified, and marked to the following standards, or equivalent:
  - (i) U.S. - Underwriters Laboratories, Inc. (U.S. - UL) Standard 711, *Rating and Fire Testing of Fire Extinguishers*, with listing mark;
  - (ii) Factory Mutual Research Corporation (FM) with listing mark; or
  - (iii) U.S. Coast Guard (USCG) with marking per 46 CFR § 162.028.
- (3) Only fire extinguisher part numbers submitted to and on file with the Office of Hazardous Materials Safety (OHMS) are authorized for shipment in accordance with this special permit. All models must be acceptable for use on aircraft as described in FAA Advisory Circular AC 20-42D "Hand Held Fire Extinguishers for Use in Aircraft".
- (4) In lieu of the outer packaging requirement of 49 CFR § 173.309(c)(5), outer packagings must be fiberboard boxes with specific burst tests or edge crush test, based on the gross weight of the package as specified in paragraphs 7.a.(4)(i) through (iii) below. No single package may exceed 70 pounds gross weight.

(i) For packages weighing not more than 20 pounds, min 200 lb burst test or 32-edge crush test package.

(ii) For packages weighing greater than 20 pounds, but not more than 50 pounds, min 250 lb burst test or 44-edge crush test package.

(iii) For packages weighing greater than 50 pounds, but not more than 70 pounds, min 275 lb burst test or 55-edge crush test package.

b. TESTING: Cylinders must be tested in accordance with the requirements of 49 CFR § 173.309(c) and the information submitted with the application for special permit, which is on file with the OHMS.

c. OPERATIONAL CONTROLS:

(1) Cylinders manufactured prior to the issuance of this special permit are authorized to be transported under the terms of this special permit.

(2) Only fire extinguishers approved for use on aircraft are authorized for transportation under the terms of this special permit.

(3) Transport is only authorized to/from aircraft operators, owners, parts distributors and FAA repair stations certified under 14 CFR § 145.5.

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 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.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, passenger-carrying aircraft, 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 Materials 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: BB