

March 22, 2007



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 9659
(SIXTH REVISION)

EXPIRATION DATE: February 28, 2011

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: BAE Systems Composite Structures, Inc.
(Former Grantee: Kaiser Compositek, Inc.)
Brea, CA
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the manufacture, marking, sale, and use of a non-DOT specification cylinder to be used for the transportation in commerce of certain Division 2.2 materials. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.302a(a)(1), § 173.304a(a) and (d), and § 175.3 in that a non-DOT specification cylinder is not authorized except as specified herein.
5. BASIS: This special permit is based on the application of BAE Systems Composite Structures, Inc., dated March 20, 2007 submitted in accordance with § 107.109.

March 22, 20076. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description - - proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Air, compressed	2.2	UN1002	N/A
Argon, compressed	2.2	UN1006	N/A
Carbon dioxide	2.2	UN1013	N/A
Compressed gases, n.o.s.	2.2	UN1956	N/A
Helium, compressed	2.2	UN1046	N/A
Hydrogen, compressed	2.1	UN1049	N/A
Liquidfied gases, n.o.s.	2.2	UN3163	N/A
Nitrogen, compressed	2.2	UN1066	N/A
Oxygen, compressed	2.2	UN1072	N/A

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification fiber reinforced plastic (FRP) full wrapped (FC) composite cylinder made in accordance with Compositek Engineering Corporation's Part Numbers CX 00405, CX 00406, CX 00407 or CX 00408, on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA) and conforming with DOT FRP-1 Standard, (§ 178.AA), Revision 2 dated February 15, 1987, except as follows:

§ 178.AA-5Material.

(a) Aluminum liner must be 6061 alloy and T6 temper. Cylinder constructed with aluminum liner 6351 before January 1, 1990 can remain in service if requalified in accordance with § 180.205.

* * * * *

§ 178.AA-18 Design qualification tests.

(e) Not required for designs using 6061 T6 alloy with mechanical properties within plus or minus 2-1/2 percent of strength of 6351 alloy previously used.

b. INSPECTION AND REQUALIFICATION - Each cylinder must be reinspected and hydrostatically retested every three years in accordance with § 180.205, as prescribed for DOT 3HT specification cylinders, except that the rejection elastic expansion does not apply and the permanent volumetric expansion must not exceed 5 percent of the total volumetric expansion at test pressure. Retest dates must be stamped on the exposed metallic surface of the cylinder neck or marked on a label securely affixed to the cylinder and overcoated with epoxy near the original test date. Reheat treatment or repair of rejected cylinders is not authorized.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms 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 modifications or changes are 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.

d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

March 22, 2007

- e. A current copy of this special permit must be maintained at each facility where the package is manufactured under this special permit. It must be made available to a DOT representative upon request.
 - f. Cylinders may not be used for underwater breathing purposes.
 - g. Cylinder service life must not exceed 15 years.
 - h. Cylinders used in oxygen service must be in compliance with § 173.302(b)(1) through (b)(4).
 - i. Cylinder must be packaged in accordance with § 173.301(a)(9).
 - j. A cylinder that has been subjected to fire must not be returned to service.
 - k. The transportation of oxygen by aircraft is only authorized when in accordance with § 172.102(c)(2) Special Provision A52 and §§ 175.85(h) and (i).
 - l. Packages permanently marked 'DOT-E 9659', prior to October 1, 2007 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packages marked on or after October 1, 2007 must be marked 'DOT-SP 9659'.
 - m. Shipping papers displaying 'DOT-E 9659' may continue to be used until October 1, 2007, provided the special permit remains valid.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger-carrying aircraft (See paragraphs 8 and 10 for restrictions).
10. MODAL REQUIREMENTS:
- (a) 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 current copy of this special permit to the air carrier before or at the time the shipment is tendered.

March 22, 2007

(b) Transportation of flammable gases is not authorized aboard passenger or cargo vessel, rail freight or passenger-carrying aircraft.

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 the 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

March 22, 2007

involving a package, shipment or operation conducted under
terms of this special permit.

Issued in Washington, D.C.:



for Bob Richard
Deputy Associate Administrator
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous
Materials Safety, Pipeline and Hazardous Materials Safety
Administration, Department of Transportation, Washington, D.C.
20590. Attention: PHH-31.

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
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PO: AM