

April 7, 2006



U.S. Department  
of Transportation

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

**Pipeline and  
Hazardous Materials  
Safety Administration**

DOT-SP 10865  
(FOURTH REVISION)

EXPIRATION DATE: March 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Robert Gas Cylinder Company, Inc.  
San Juan, Puerto Rico
2. PURPOSE AND LIMITATIONS:
  - a. This special permit authorizes the rebuilding and selling of DOT Specification 4B, 4BA and 4BW cylinders in accordance with the procedures prescribed within this special permit, for use in the transportation of hazardous materials authorized in paragraph 6. 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.
  - 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 § 180.211(a) except as specified herein.
5. BASIS: This special permit is based on the application of Robert Gas Cylinder Company, Inc. dated March 20, 2006 submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description - - proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Compressed gases, flammable liquids, corrosive materials and other hazardous material that are authorized to be shipped in DOT 4B, 4BA, and 4BW cylinders of 49 CFR Part 173.	As appropriate	As appropriate	As appropriate

7. SAFETY CONTROL MEASURES:

This special permit authorizes the rebuilding and selling of low-pressure, DOT Specification 4B, 4BA and 4BW steel cylinders having water capacities not exceeding 1000 pounds, in accordance with the following:

- a. Only cylinders originally manufactured to a DOT Specification 4B, 4BA and 4BW may be rebuilt and represented as DOT 4B, 4BA or 4BW cylinders.
- b. Rebuilding work must be performed in accordance with the approved Procedures Manual on file in the Office of Hazardous Materials Special Permits and Approvals and § 180.211(a).
- c. Rebuilder must be considered a manufacturer subject to the requirements of § 178.2(a)(2) and Subpart C of Part 178.
- d. After removal of a non-pressure component and before replacement of any non-pressure component, the cylinder must be visually inspected in accordance with the requirements of CGA Pamphlet C-6. Rejected cylinders must be repaired and rebuilt as prescribed in §§ 180.211 or condemned.
- e. Rebuilding of any cylinder involving a joint subject to internal pressure may only be performed by fusion welding. The rebuilder may rebuild a DOT 4B, 4BA or 4BW cylinder having a water capacity of 20 pounds or greater by replacing a head of the cylinder using a circumferential joint. When this weld joint is located at other than an original welded joint, a notation of this modification must be shown on the Manufacturer's Report of Rebuilding (see Appendix A). Weld joint must be on the cylindrical section of the cylinder.

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f. Welding must be:

(1) Performed in accordance with the procedures and qualification requirements of CGA Pamphlet C-3.

(2) Performed using welding rods compatible with the material of the cylinder including any non-pressure component.

(3) Performed on an area free of any contaminant.

g. Any rebuilt cylinder must be:

(1) Heat treated as required in the applicable specification.

(2) Subjected to a full hydrostatic volumetric expansion test on each cylinder as specified in the applicable cylinder specification in Part 178. The results of the tests must conform to the requirements of the applicable cylinder specification.

(3) Inspected and have test data reviewed to determine conformance with the applicable cylinder specification.

(4) Made of material in conformance with the specification. Rebuilt cylinders are to be grouped into lots as required in the original specification and heat treated as noted in paragraph (1) above. Each new lot of cylinders must include chemical analysis, verification, inspection and tensile testing of only the replaced part and weldments required to affect the rebuilding. Components used in the original manufacture are accepted as meeting the requirements of the specification subject to acceptable performance of the full expansion test required in paragraph (2).

h. A record of rebuilding must be completed for each cylinder rebuilt in the format presented in Attachment 1 of this special permit.

i. A copy of the reports of rebuilding must be maintained by the rebuilding facility for 15 years.

8. SPECIAL PROVISIONS:

a. Each packaging rebuilt under the authority of this special permit and in accordance with an approval issued under § 180.211(a), must be marked with the approval number issued to the grantee of this special permit.

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- b. A current copy of this special permit, in addition to the referenced approval document in 8a., must be maintained at the facility where the cylinders are rebuilt and must be made available to the DOT representative upon request.
- c. Packagings permanently marked 'DOT-E 10865', 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. Packagings marked on or after October 1, 2007 must be marked 'DOT-SP 10865'.
- d. Shipping papers displaying 'DOT-E 10865' 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 aircraft.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or aircraft 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.
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, 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.


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

Issued in Washington, D.C.



for Robert A. McGuire  
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](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: AM

ATTACHMENT 1

**Manufacturer's Report of Rebuilding**

Cylinder Identification

Manufacturer \_\_\_\_\_

\_\_\_\_\_ Cylinder Specification Number and Service Pressure

\_\_\_\_\_ Cylinder Serial Number

\_\_\_\_\_ Date of Original Manufacture

\_\_\_\_\_ Other Identification Marks

Rebuild Information

Chemical Analysis of Replacement Parts

Parts Being Replaced \_\_\_\_\_

\_\_\_\_\_ Heat Identification

\_\_\_\_\_ Steel Manufactured by

\_\_\_\_\_ Analysis Performed by

C	P	S	Si	Mn	Ni	Cr	Mo	Cu	Al	Zr
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Record of Physical Test of Replacement Parts

Yield PSI	Tensile PSI	Elongation in _____ inches	Reduction of Area %	Weld Tensile	Weld bend
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Record of Hydrostatic Test

Calculated Volumetric Capacity of Cylinder Being Rebuilt

Actual Test Pressure	Total Expansion	Permanent Expansion	% of Total to Perman.	Volumetric Capacity
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\_\_\_\_\_

(Volumetric capacity of rebuilt cylinder must be + or - 3% of the calculated capacity)

I certify that this rebuilt cylinder is accurately represented by the data above and that all provisions of DOT-SP 10865 and other applicable regulations have been complied with.

Repair Technician \_\_\_\_\_

Date

Company Representative \_\_\_\_\_

Date