

January 18, 2006



U.S. Department
of Transportation

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

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 12398
(FIFTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain DOT Specification 3A and 3AA cylinders equipped with alternative pressure relief devices and, for ammonia, containing at least 165 pounds of the materials listed in paragraph 6 below. 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. 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 §§ 173.301(f) and 178.35(e) in that the type of pressure relief device authorized is different from that specified in the regulations.
5. BASIS: This special permit is based on the application of Praxair, Inc. dated February 25, 2004, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Ammonia, anhydrous	2.2	UN1005	N/A
Boron trichloride	2.3	UN1741	Hazard Zone C
Chlorine	2.3	UN1017	Hazard Zone B
Octafluorocyclobutane or Refrigerant gas RC 318	2.2	UN1976	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are DOT Specification 3A and 3AA cylinders that are in conformance with all requirements of DOT Specification 3A (§§ 178.35 and 178.36) or DOT Specification 3AA (§§ 178.35 and 178.37) except as follows:

(1) § 178.35(e) *Safety Devices*. Protection for valves, safety devices, and other connections, must be as required or authorized by the appropriate specification, as required in §§ 173.301a and 180.205.

(i) For Octafluorocyclobutane: the cylinders are equipped with CGA-1 pressure relief devices (PRD).

(ii) For ammonia, anhydrous, boron trichloride and chlorine: the cylinders are equipped with CGA CG-4, combination rupture disc in series with a fusible metal plug, PRD. The rupture disk component of the combination PRD must be designed to burst at a pressure no greater than the minimum required test pressure of the cylinder. The fusible plug component must have a nominal yield temperature of 165°F.

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b. TESTING - Each cylinder authorized for use by this special permit must be periodically requalified as specified for DOT Specification 3A and 3AA cylinders in § 180.205.

c. OPERATIONAL CONTROLS -

(1) Cylinders may not be shipped with leaking pressure relief devices.

(2) Pressure relief devices must be tested for leaks before the charged cylinder is shipped from the cylinder filling plant. The repair of leaking fuse plug devices is forbidden, where the leak is through the fusible metal or between the fusible metal and the opening in the plug body, (except by removal of the device and replacement of the fusible metal).

(3) Cylinders and shipping papers for cylinders containing ammonia, anhydrous must be marked as specified in § 172.102(c) (1) Special Provision 13.

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 or its contents and it is reoffered 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.

c. Transportation of Division 2.3 materials (gases which are poisonous by inhalation) are not authorized aboard cargo vessel unless specifically authorized in the Hazardous Materials Table (§ 172.101).

d. Each DOT 3A and 3AA Specification cylinder must be marked "DOT-E 12398" and conform to the marking requirements of § 178.35(f) (4), (5) and (6).

- e. Packagings permanently marked 'DOT-E 12398', 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 12398'.
- f. Shipping papers displaying 'DOT-E 12398' may continue to be used until October 1, 2007, provided the special permit remains valid.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel (see restriction in paragraph 8.c).
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel and 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.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption 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 exemption 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 exemption.

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 Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: MMT/AM