

March 19, 2007



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 13259
(SECOND REVISION)

EXPIRATION DATE: February 28, 2011

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Gas Cylinder Technologies, Inc.,
Lakeshore Ontario Canada
(U.S. Agent: Pressure Vessel Technologies, Inc.,
Warren, MI)
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, mark, sale and use of non-DOT specification cylinders conforming with all regulations applicable to a DOT Specification 3E cylinder, except as specified herein, for the transportation in commerce of those materials authorized in DOT Specification 3E cylinders. 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 and 173.304a in that non-DOT specification cylinders are not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of Gas Cylinder Technologies, Inc., dated March 16, 2007, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
All liquefied and non-liquefied gases authorized for 3E cylinders	2.1, 2.2 & 2.3	Various	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed Packaging are non-DOT specification cylinders manufactured in accordance with the DOT 3E Specification in § 178.42 except as follows:

§ 178.42(a) *Type, size, and service pressure.*

The nominal outside diameter may not be greater than 63.5 mm (2.5 inches) and the length may not be greater than 30.5 mm (12 inches).

§ 178.42(f) *Hydrostatic test.* Cylinders must be tested as follows:

(1), (2), and (3) * * *

Add: (4) One cylinder out of each lot of 500 or less must be subject to flattening test without cracking to six times wall thickness between knife edges, wedge shaped 60 degree angle, rounded to a 1½ inch radius.

§ 178.42(i) *Marking.*

Each cylinder must be marked as required by § 178.35(f) except the cylinder must be marked "DOT-SP 13259" in lieu of "DOT 3E" followed by the service pressure.

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 modification or change is made to the package or its contents 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 marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

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. Packages permanently marked 'DOT-E 13259', 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 13259'.

g. Shipping papers displaying 'DOT-E 13259' may continue to be used until October 1, 2007, provided the special permit remains valid.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.

10. MODAL REQUIREMENTS: No additional requirements other than those required in the HMR.
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.

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.

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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 -- OHMSPA, in writing, of any incident 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 are permitted. Any alteration of this special permit is prohibited.

PO: AM