

August 9, 2006



U.S. Department  
of Transportation

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

**Pipeline and  
Hazardous Materials  
Safety Administration**

DOT-SP 13601  
(THIRD REVISION)

EXPIRATION DATE: July 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: DS Containers  
Lemont, IL
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of certain non-flammable aerosols containing foodstuffs in non-DOT specification containers at pressures exceeding those authorized. This special permit provides no relief from any Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this special permit only considered that 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 §§ 173.306(b)(1), and 175.3 in that the authorized container pressure is exceeded as specified herein.
5. BASIS: This special permit is based on the application of DS Containers dated July 19, 2006 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Aerosols, non-flammable (each not exceeding 1 L capacity)	2.2	UN1950	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a non-DOT specification inner non-refillable metal container. The container, as designed without a pressure relief device must have a minimum design burst pressure of 270 psig. The container must be in conformance with the requirements of a DOT Specification 2P container (§ 178.33), except as follows:

§ 178.33-6 Manufacture.

(a) \* \* \*

(b) \* \* \*

(1) \* \* \*

(2) Side seams not permitted.

(c) Ends: The ends shall be designed to withstand pressure and the bottom end is fitted with a pressure relief device (PRD) consisting of scored vent sites.

§ 178.33-8 Tests.

Each 25,000 containers or less, successively produced as a batch or part thereof shall constitute a lot. A lot is defined as containers of like material, size, design construction, finish and quality and built to the same specification by one manufacturer only. One container taken randomly from each lot and complete with ends assembled must be pressure tested to

destruction. Failure at a pressure below 175 psig and over 210 psig or failure occurring at other than the pressure relief device will reject the lot. If the test container fails to meet the above requirements, the lot shall be rejected. However, 10 additional containers may be selected at random and subjected to the test. Should any of the ten containers thus tested fail, the entire lot must be rejected.

§ 178.33-9 Marking.

(a) \* \* \*

(1) Container must be marked "DOT-SP 13601" in lieu of "DOT 2P".

(2) \* \* \*

b. OPERATIONAL CONTROLS: Containers may be shipped in accordance with the requirements of § 173.306(b). Containers must be in conformance with § 173.306(b)(1) except that the maximum pressure of the contents is 160 psig at 130°F.

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. Packagings permanently marked "DOT-E 13601", 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 13601".

d. Shipping papers displaying "DOT-E 13601" may continue to be used until October 1, 2007 provided the special permit remains valid.

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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 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 -- OHMSPA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



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for Robert A. McGuire  
Associate Administrator  
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material 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: CWF/AM