

April 27, 2009



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue, Southeast  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 7458  
(TENTH REVISION)

**EXPIRATION DATE: March 31, 2010**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Swagelok Company  
Willoughby Hills, OH
2. PURPOSE AND LIMITATIONS:
  - a. This special permit authorizes the manufacture, marking, sale and use of non-DOT specification cylinders conforming in part with the DOT Specification 3E for the shipment of materials specified in paragraph 6. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - 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) in that a non-DOT specification cylinder is not authorized, except as specified herein.
5. BASIS: This special permit is based on the Pipeline and Hazardous Materials Safety Administration's (PHMSA) editorial review under § 107.121 initiated on December 4, 2008.

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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>
Chlorine	2.3	UN1017	N/A (Hazard Zone B)
Hydrogen chloride, anhydrous	2.3	UN1050	N/A (Hazard Zone C)
Those materials which are authorized for shipment in DOT Specification 3E cylinders and that are compatible with the cylinder's material of construction	As Appropriate	As Appropriate	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a seamless non-DOT specification cylinder made of Nickel-Copper Alloy 400 (UNS N04400) material and conforming to Whitey Company's Drawing No. M-CY-E7458 Revision A, dated 04/10/89, on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA) and to DOT Specification 3E (§ 178.42) except as specifically prescribed below:

§ 178.42(b) Material

(a) Nickel copper alloy 400 (UNS N04400) conforming with ASTM B 165.

§ 178.42(i) Marking

Applies except "DOT-SP 7458 1800" replaces "DOT-3E 1800" in the marking.

b. OPERATIONAL CONTROLS -

(1) Each cylinder must be shipped in strong outside packaging in accordance with § 173.301(a)(9).

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(2) Inspections and verifications must be performed by an independent inspection agency approved in writing by the Associate Administrator in accordance with § 107.803. Chemical analyses and tests as specified must be made within the United States.

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 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.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel 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:

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

Issued in Washington, D.C.:



for Theodore L. Willke  
Associate Administrator for Hazardous Materials Safety

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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.

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