

April 29, 2009



U.S. Department  
of Transportation

East Bldg, PHH-30  
1200 New Jersey Ave, S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 7721  
(EIGHTH REVISION)

**EXPIRATION DATE: June 30, 2011**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Applied Companies  
Valencia, CA
2. PURPOSE AND LIMITATIONS:
  - a. This special permit authorizes the manufacture, mark, sale and use of a non-DOT specification cylinder conforming with all regulations applicable to a DOT specification 39 cylinder, except as specified herein, for the transportation in commerce of the materials authorized by this special permit. 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)(4) and § 175.3 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.

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>
Argon, compressed	2.2	UN1006	N/A
Helium, compressed	2.2	UN1046	N/A
Nitrogen, compressed	2.2	UN1066	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a welded or seamless, non-refillable, non-DOT specification steel cylinders (including spheres and toroids) made as described in specifications on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA) and in compliance with DOT specification 39, except as follows:

§ 178.35(b) *Inspections and analyses*

Applies except an independent inspection agency must be approved in writing by the Associate Administrator for Office of Hazardous Materials Safety.

§ 178.35(c) *Duties of inspector*

(1) and (2) \* \* \*

(3) Add

(ix) Independent inspector must verify proper heat treatment after welding and prior to test.

(4) \* \* \*

§ 178.65(a) (1) *Size limitation*

Maximum water capacity must not exceed 25 cu. inches and marked service pressure must not exceed 85% of the test pressure. Maximum service pressure must not exceed 6,000 psig.

§ 178.65(b) *Materials*

The steel analysis must conform to the requirements in § 178.44(b) (steel specification for DOT 3HT).

§ 178.65(d) *Wall thickness*

The minimum wall thickness must be such that the wall stress at test pressure does not exceed either the yield strength of the material of the finished cylinder wall or 110,000 psi, whichever is greater.

\* \* \*

§ 178.65(f) *Pressure tests*

Applies except that substitute 2.36 times for 2.0 times in paragraph (2) (i).

§ 178.65(g) *Flattening test*

(1) and (2) \* \* \*

(3) Applies except flattening between flat plates is authorized.

(4) Cylinders or test rings must not crack when flattened so their outer surfaces are not more than ten times wall thickness apart.

(5) \* \* \*

§ 178.65(i) *Marking*

Applies except cylinders must be marked "DOT-SP 7721" instead "DOT 39".

b. OPERATIONAL CONTROLS - Cylinders must be shipped in strong outside packagings in accordance with § 173.301(a) (9). Package must be capable of withstanding a twelve foot drop onto solid concrete without damage to the pressure vessel or leakage of gas.

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 packaging covered by this special permit, may reoffer it for transportation provided no modifications or changes are made to the packaging 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 either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) 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 specified herein marked "DOT SP 6672" prior to the issuance of this special permit may be transported under the terms of this special permit.

g. A copy of the inspector's report on the initial shipment under this special permit must be submitted to the OHMSPA within 30 days after shipment.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper shall 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, 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

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.

PO: sln