

March 17, 2006



U.S. Department  
of Transportation

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

**Pipeline and  
Hazardous Materials  
Safety Administration**

DOT-SP 11323  
(SIXTH REVISION)

EXPIRATION DATE: February 28, 2010

(FOR RENEWAL, SEE 49 § 107.109)

1. GRANTEE: Renaissance Industries, Inc., Sharpsville  
Operations  
Sharpsville, PA
2. PURPOSE AND LIMITATIONS:
  - a. This special permit authorizes the manufacture, marking, sale and use of non-DOT specification cylinders for the transportation in commerce of hazardous materials authorized in DOT Specification 39 cylinders. This special permit provides no relief from the Hazardous Material 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(a)(1), 173.304a(a)(1) 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 Renaissance Industries' application dated January 18, 2006, 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
Hazardous materials authorized for transportation in DOT specification 39 cylinders.	2.1 or 2.2	As appropriate	N/A

7. SAFETY CONTROL MEASURES: PACKAGING - Packaging prescribed is a non-DOT specification non-refillable steel cylinder as described in McDowell Manufacturing's application, dated March 11, 1997 and Renaissance Industries application dated January 8, 2001 on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA) and in accordance with the DOT Specification 39 cylinder (§§ 178.35 and 178.65) except as follows:

178.65(a) *Type, size, service pressure.* Each cylinder must be of welded construction. The marked service pressure may not exceed 80 percent of the test pressure and may not exceed 2200 psig.

(1) Size limitation: Maximum water capacity may not exceed 10 pounds (277 cubic inches).

(2) and (3) \* \* \*

178.65(b) *Material; steel.*

(1) Steel:

(i) AISI 1010 or 1020 aluminum killed steel with the following composition \* \* \*.

(ii) Not applicable

(iii) \* \* \*

(iv) Longitudinal welded cylinders made from drawn over mandrel (D.O.M.) tubing per ASTM A513-5 are authorized.

(2) Not applicable

(3) and (4) \* \* \*

178.65(c) 7 *Manufacture.*

(1) (i), (ii) and (iii) \* \* \*

(2) (i) through (v) Not applicable

(2) (vi) and (vii) \* \* \*

(3) and (4) \* \* \*

(Added): (5) Drawn over mandrel tubing:

(i) Each longitudinally, electrically resistance welded (ERW) seam must be 100% inspected by ultrasonic and eddy current testing.

(ii) After cold drawing, each tube must be qualified by non-destructive testing in accordance with ASTM-A-513 Supplementary Requirement S8.

178.65(i) *Markings.*

Applies, except that each cylinder must be marked "DOT-SP 11323" instead of "DOT-39".

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 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

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registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

- e. Shippers using the packaging covered by this special permit must comply with all provisions of this special permit, and all other applicable requirements contained in 49 CFR Parts 171-180.
  - f. 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.
  - g. Cylinders must be transported in strong outside packaging in accordance with § 173.301(a)(9).
  - h. Packagings permanently marked 'DOT-E 11323', 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 11323'.
  - i. Shipping papers displaying 'DOT-E 11323' may continue to be used until October 1, 2007, provided the special permit remains valid.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger-carrying aircraft (See restrictions in paragraph 10(b)).
10. MODAL REQUIREMENTS:
- a. 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 shall furnish a current copy of this special permit to the air carrier before or at the time the shipment is tendered.
  - b. Transportation of Division 2.1 materials are not authorized aboard cargo vessel or aircraft unless specifically authorized in the Hazardous Materials Table (§ 172.101).
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 Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special

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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.

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.:

A handwritten signature in blue ink, appearing to read "R. Ryan Taylor".

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](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm)  
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PO: MT/sln