

November 27, 2013



U.S. Department  
of Transportation

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

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 15452  
(FIRST REVISION)

**EXPIRATION DATE: October 31, 2017**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: BE Aerospace  
Lenexa, KS
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of oxygen in certain DOT Specification 39 cylinders that have their pressure relief devices set to an alternative burst pressure range. 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 the development of this special permit only considered the hazards and risks associated with the 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 §§ 173.302(f)(2)(i) in that the rated burst pressure for a rupture disk on a DOT 39 cylinder used to transport oxygen by aircraft must be as required by that paragraph, except as provided herein; 172.203(a) and 172.301(c) in that requirements for marking the special permit number on shipping papers and each package are waived.

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5. BASIS: This special permit is based on the application of BE Aerospace dated October 29, 2013 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>
<b>Oxygen, compressed</b>	<b>2.2</b>	<b>UN1072</b>	<b>N/A</b>

7. SAFETY CONTROL MEASURES:
- a. PACKAGING - Packagings prescribed are DOT Specification 39 cylinders meeting all applicable design, manufacturing, testing and marking requirements as prescribed in 49 CFR §§ 178.35 and 178.65.
- b. OPERATIONAL CONTROLS -
- (1) The cylinders used under the terms of this special permit may only be filled by BE Aerospace.
  - (2) The maximum filling pressure of each cylinder must not exceed 2/3 of the cylinder test pressure.
  - (3) Each cylinder must be equipped with pressure relief device (PRD) set in accordance with the requirements of CGA Pamphlet S-1.1 for DOT 39 cylinders.
  - (4) The cylinders must be shipped in rigid outer packagings in accordance with § 173.301(a)(9), which must also comply with the requirements specified in §§ 173.302(f)(3) and (f)(4) when shipping compressed oxygen by aircraft.

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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 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 cylinders are filled and the package is offered or reoffered for transportation.

c. The requirements to mark the special permit number on the shipping papers (§ 172.203(a)) and the package (§ 172.301(c)) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, Rail Freight, Cargo Vessel, Cargo-only aircraft, Passenger-carrying aircraft.

10. MODAL REQUIREMENTS: There are no modal requirements associated with 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:

- 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.

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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 Dr. Magdy El-Sibaie  
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: RS