

March 26, 2014



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 15634  
(SECOND REVISION)

**EXPIRATION DATE: February 28, 2018**

1. GRANTEE: SodaStream USA Inc.  
Cherry Hill, NJ
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of certain used DOT 3AL cylinders that contain carbon dioxide, but not necessarily in an amount to qualify as a hazardous material. 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. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not 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 § 172.202(a)(5)(iii)(B) in that the number of cylinders need not be identified on the shipping papers, § 171.2(k) in that no person may, by marking or otherwise, represent that a hazardous material is present in a package, container, or motor vehicle if the hazardous material is not present, and Subpart H of Part 172 that prescribes training for hazmat employees, except as provided herein.

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5. BASIS: This special permit is based on the application of SodaStream USA Inc. dated February 3, 2014, 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> |
| Carbon dioxide                         | 2.2                           | UN1013                       | N/A                  |

7. SAFETY CONTROL MEASURES:
- a. PACKAGING - Prescribed packaging is as required by the HMR.
- b. OPERATIONAL CONTROLS - SodaStream USA Inc. is responsible as the offeror for all shipments made under this special permit. The carrier will verify package compliance at the collection point on behalf of SodaStream USA Inc. prior to accepting the shipment.
- c. Cylinders that are less than 29 psig may be shipped as hazardous material, i.e. carbon dioxide, 2.2.
- d. In place of the training requirements specified in subpart H of Part 172, persons offering the cylinders for transportation must comply with the closure instructions accompanying the fiberboard box.
8. SPECIAL PROVISIONS:
- a. A person who is not a holder of this special permit who receives a completed package covered by this special permit may reoffer it for transportation provided no modifications or changes are 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 all SodaStream USA Inc. facilities that provide packagings for, offer, or receive the DOT 3AL cylinders.

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- c. The instructions for properly preparing the cylinders and closing the fiberboard box must be printed on or permanently affixed to the outside of the box.
- d. MARKING - The outer package provided by SodaStream USA Inc. must be marked "DOT-SP 15634"
9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle, cargo aircraft, cargo vessel, rail freight.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo aircraft and cargo vessel used to transport packages covered by this special permit. The shipper must furnish a current copy of this special permit to the air carrier before or at the time the shipments 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.

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.

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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.

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