

May 26, 2006



U.S. Department
of Transportation

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

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 9030
(SIXTH REVISION)

EXPIRATION DATE: March 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: LND, Inc.
Oceanside, NY
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain nonflammable compressed gases in non-DOT specification containers. This special permit provides no relief from the Hazardous Materials 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.
 - 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 in that non-DOT specification containers are not authorized except as specified herein, and § 175.3.
5. BASIS: This special permit is based on the application of LND, Inc., dated March 24, 2006, submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Argon, compressed	2.2	UN1006	N/A
Nitrogen, compressed	2.2	UN1066	N/A
Xenon	2.2	UN2036	N/A

7. SAFETY CONTROL MEASURES: PACKAGING - Prescribed packaging is a non-DOT specification, metal, single trip, inside container, described as a "Gamma radiation detector" having a design (operating) pressure of 620 psig and a 35 cubic inch maximum water capacity. The detector assembly must comply with drawing number 2-50442 Rev 01 dated November 22, 1983, or 2-920-0056-00 dated March 23, 2006 on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). The detector assembly must be shipped inside an aluminum outside container complying with drawing 1-296-0001 Rev 00 dated March 15, 1983 on file with the OHMSPA. The design burst pressure of the detector must be at least:

- a. Three times the design pressure if equipped with a relief device; or
- b. Four times the design pressure if not equipped with a relief device.

8. SPECIAL PROVISIONS:

a. 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 modifications or changes are made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

b. The following provisions are not applicable when offered for transportation by air;

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(1) Packages covered by this special permit are excepted from the labeling requirements of 49 CFR Part 172.

(2) Shipments are not subject to the placarding requirements of Subpart F of 49 CFR Part 172.

c. A current copy of this special permit must be maintained at each facility when the package is offered or reoffered for transportation.

d. Packages permanently marked 'DOT-E 9030', prior to October 1, 2007 may continue to be used under this special permit for the remaining service life the package or until the special permit is no longer valid. Packages marked on or after October 1, 2007 must be marked 'DOT-SP 9030'.

e. Shipping papers displaying 'DOT-E 9030' may continue to be used until October 1, 2007, provided the special permit remains valid.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, cargo vessel, rail freight, passenger-carrying aircraft and cargo-aircraft only.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel and aircraft used to transport packages covered by this special permit. The shipper must furnish a 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.

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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 Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

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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 Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: AM/kah/CWF