

June 28, 2006



U.S. Department  
of Transportation

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

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 9036  
(NINTH REVISION)

EXPIRATION DATE: May 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Taylor-Wharton  
Huntsville, Alabama
2. PURPOSE AND LIMITATIONS:
  - a. This special permit authorizes the manufacture, mark, sale and use of billet pierced DOT 3AA cylinders that are made from parted billets which are not inspected by an independent inspector after parting. These cylinders are used for the transportation of Divisions 2.1, 2.2 and 2.3 hazardous materials that are listed in paragraph 6 below. 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.301(c) and a portion of § 178.35(c)(1) as specified herein.
5. BASIS: This special permit is based on the application of Taylor-Wharton dated June 13, 2006, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Compressed or liquefied gases in Division 2.1 and 2.2 (flammable and nonflammable) and poisonous gases in Division 2.3 for which DOT 3AA cylinders are authorized in 49 CFR Part 173.	As Appro- priate	As Appro- poriate	As Appro- priate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification 3AA (§ 178.37) cylinder except as follows:

§ 178.35(c) - Duties of inspector.

(1) Inspect all material and reject any not complying with the requirements. For billet pierced cylinders, inspect inside and outside surfaces after piercing and before closing.

b. The marking requirement of the special permit number in § 172.301(c) is waived. However, the manufacturer must keep a list of the serial numbers and symbols of all cylinders manufactured under this special permit for the duration of this special permit or fifteen years from the original test date of the cylinder, whichever is longer.

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 modifications or changes are made to the package 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 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. Transportation of Division 2.1 (flammable gases) materials and Division 2.3 (gases which are poisonous by inhalation) are not authorized aboard cargo vessel or aircraft unless specifically authorized in the Hazardous Materials Table (§ 172.101).
- g. Transportation of oxygen by aircraft is only authorized when in accordance with § 172.102(c)(2) Special Provision A52 and §§ 175.85(h) and (i).
- h. Shipping papers displaying 'DOT-E 9036' 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 paragraphs 8.f and 8.g of this special permit).
10. MODAL REQUIREMENTS: None as a requirement of 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, 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 Porter", is written over a faint, illegible typed name.

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

PO: KFW/sln