

April 25, 2007



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 9894
(NINTH REVISION)

EXPIRATION DATE: March 31, 2011

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Luxfer Gas Cylinders
Riverside, CA
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the manufacture, mark, sale and use of non-DOT specification fiber reinforced plastic (FRP) hoop-wrapped (HW) cylinders conforming with all regulations applicable to the DOT FRP-2 Standard, except as specified herein, for the transportation in commerce of the materials authorized by this special permit. 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 §§ 173.302a(a)(1), 173.304a(a), (d) and 175.3 in that the use of a non-DOT specification package is not authorized except as specified herein.
5. BASIS: This special permit is based on the application of Luxfer Gas Cylinders dated April 11, 2007, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Air, compressed	2.2	UN1002	N/A
Argon, compressed	2.2	UN1006	N/A
Carbon dioxide	2.2	UN1013	N/A
Compressed gas, n.o.s.	2.2	UN1956	N/A
Helium, compressed	2.2	UN1046	N/A
Nitrogen, compressed	2.2	UN1066	N/A
Oxygen, compressed	2.2	UN1072	N/A

7. SAFETY CONTROL MEASURES:

PACKAGING - Packaging prescribed is a non-DOT specification, fiber reinforced plastic (FRP), hoop-wrapped (HW) cylinder made in full conformance with data provided by Luxfer Gas Cylinders (formerly Luxfer U.S.A. Limited) with their application on file with the office of Hazardous Materials Special Permits and Approvals (OHMSPA) and in conformance with the requirements of DOT FRP-2 Standard, Revision 1, dated January 4, 1987 (Basic Requirements for Fiber Reinforced Plastic (FRP) Type 3HW Composite Cylinders) except as follows:

178.BB-5 Authorized materials and identification of material.

a. Aluminum liner must be 6061 alloy and T6 temper.

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 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.
- 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 available to a DOT representative upon request.
- f. Cylinders manufactured under this special permit are not authorized for use fifteen (15) years after the date of manufacture.
- g. Use of these cylinders for underwater breathing is not authorized.
- h. Cylinders used in oxygen service must be in compliance with § 173.302(b)(1) through (4).
- i. Cylinders must be packaged in accordance with § 173.301(k).
- j. Each cylinder must be reinspected and hydrostatically retested every three years in accordance with § 180.205 as prescribed for DOT 3HT cylinders, except that the rejection elastic expansion criteria does not apply, permanent volumetric expansion must not exceed 5 percent of total volumetric expansion at test pressure and retest dates must be steel stamped on the outer exposed metallic surface of the cylinder neck, or marked on a label securely affixed to the cylinder and over-coated with epoxy. Reheat treatment or repair of rejected cylinders is not authorized.

- k. Transportation by oxygen is only authorized by aircraft when in accordance with § 172.102 (c) (2) Special Provision A52 and § 175.85(h) and (i).
- l. Packagings permanently marked 'DOT-E 9894', 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 9894'.
- m. Shipping papers displaying 'DOT-E 9894' 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, passenger-carrying aircraft and cargo aircraft only.
10. MODAL REQUIREMENTS: 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 must furnish a current 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.

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

PO: sln