



U.S. Department
of Transportation

Pipeline and
Hazardous Materials
Safety Administration

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

DEC 14 2005

DOT-SP 13547

EXPIRATION DATE: November 30, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: CP Industries
McKeesport, PA
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, marking, sale and use of cylinders conforming with all regulations applicable to a DOT specification 3A, 3AA, 3AX and 3AAX cylinders 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. 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: The marking requirements specified in §§ 172.203(a) and 172.301(c) are waived; §§ 178.36(j), 178.36(l), 178.37(j) and 178.37(l), in that a cylinder tested using an alternative physical test method is not authorized except as specified herein.

5. BASIS: This special permit is based on the application of CP Industries dated March 23, 2004, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Materials authorized for transportation in a DOT Specification 3A, 3AA, 3AX or 3AAX cylinders	2.1, 2.2, and 2.3	As appropriate	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT Specification 3A, 3AA, 3AX or 3AAX cylinders with an outside diameter and minimum design wall thickness equal to or greater than 12.75 inches and 0.385 inch respectively. The cylinder (tube) must be made in conformance with §§ 178.36, and 178.37, as applicable, except as described in CPI application for special permit on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA) and the following:

(1) For the purposes of this special permit, a "lot" of cylinders means a group of cylinders, produced from single heat of steel, heat treated in a batch furnace and completed in a serial order. A furnace charge may contain cylinders from different heats provided the tempering temperatures and other heat treatment parameters for those heats are identical. The lot size may not exceed 20 cylinders.

(2) § 178.36(j) and § 178.37(j) Flattening test.

For a cylinder having a minimum design wall thickness of more than 0.385 inch and a nominal outside diameter equal to or greater than 12.75 inches that is heat treated in a batch furnace, two (2) bend tests obtained from a cylinder or from a test ring heat treated with the cylinders may be performed in lieu of the flattening test.

(i) When the cylinders are heat treated in a batch furnace, two tension and two bend specimens must be tested from one of the cylinders or a test ring from each batch.

(ii) Each specimen for the tension and bend tests must be taken from the sidewall of a cylinder or from a ring which has been heat treated with the finished cylinder(s) of which the specimen must be representative. The axis of the tensile specimen must be parallel to the axis of the cylinder; the axis of the bend specimen must be perpendicular to the axis of the cylinder. Each cylinder or ring specimen for test must be of the same diameter, thickness, and metal as the finished cylinder(s) it represents. A test ring must be at least 24 inches long with ends covered during the heat treatment process so as to simulate the heat treatment process of the finished cylinder(s) it represents.

(iii) A test cylinder or test ring need represent only one of the heats in a furnace batch provided the other heats in the batch have previously been tested and have passed the tests.

(iv) The bend test shall be carried out, in accordance with Figure I and Table A of CP Industries March 24, 2003 application on file with OHMSPA, on two test pieces obtained by cutting two ring segments from separate locations approximately 180° apart and of width 1 inch or at least four times the minimum design thickness, whichever is the greater. The Table A "n" value is to be determined by the actual test specimen tensile strength. Each test piece shall be of sufficient length to permit the bend test to be carried out correctly. Only the edges of each strip may be machined.

(3) § 178.36(1) and § 178.37(1) Acceptable results for physical and flattening tests.

Tensile test results must conform to the requirements specified in §§ 178.36(1)(2) or 178.37(1), as applicable.

(i) The bend test strip shall remain uncracked when bent inwards, i.e., in the direction of curvature of the cylinder wall, around a mandrel until the interior edges are at a distance apart not greater than the diameter of the mandrel (D_M) (see Figure I of CP Industries March 24, 2003 application on file with OHMSPA). Mandrel diameters smaller than those determined by the foregoing acceptable test result criteria may be used.

(ii) When any test results do not conform to the requirements specified, the cylinders represented by the tests may be reheat treated, either re-normalized, re-tempered, or re-quenched and tempered as required, and all prescribed tests repeated.

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 modification or change is made to the package or its contents and it is offered for transportation in conformance with this special permit and the HMR.

c. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

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- d. 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.
- e. Cylinder markings must conform to the requirements of § 178.35(f), as applicable. However, the inspector's report specified in § 178.35(g) must indicate conformance to these special permit requirements. The marking requirements of §§ 172.203(a) and 172.301(c) are waived.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.
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, 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.

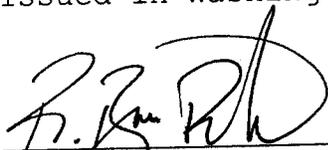
No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

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 -- OHMSPA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



fe Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

DEC 14 2005

DATE

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.

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