

December 26, 2007



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 14500

EXPIRATION DATE: November 30, 2009

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Northwest Respiratory Services
St. Paul, MN
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes transportation in commerce of a DOT Specification 4L cylinder containing oxygen, refrigerated liquid, which may be filled and discharged without removal from the motor vehicle. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the 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 §§ 172.301(b) and (c) in that the packaging need not be marked with the special permit number and 177.834(h) in that a DOT Specification 4L cylinder may not be filled or discharged without being removed from the motor vehicle, except as specified herein.
5. BASIS: This special permit is based on the application of Northwest Respiratory Services dated March 1, 2007, and additional information dated October 22, 2007, submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Oxygen, refrigerated liquid (cryogenic liquid)	2.2	UN1073	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a vacuum insulated DOT Specification 4L (§ 178.57) welded cylinder that must be in compliance with all requirements of the HMR (including, but not limited to design service temperatures, pressure relief devices, and filling limits) applicable to the hazardous material to be transported. The cylinder must be securely attached in an upright position to a steel frame enclosure in accordance with Chart Industries drawing numbers C-11814851 or C-11796171, on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). The frame enclosure must be secured to a motor vehicle (truck or trailer) in accordance with Chart Industries drawings D-11773877 or D-11773869 on file with the OHMSPA.

b. OPERATIONAL CONTROLS -

(1) The frame enclosure must be secured to the motor vehicle in accordance with 49 CFR Parts 393.100 - 393.106.

(2) The filling (or discharge) hose must not be transported containing any hazardous material.

(3) Each motor vehicle transporting a packaged covered by this special permit must be attended at all times during loading and unloading operations by a qualified person. For the purposes of this requirement, "attended" and "qualified" have the meanings described in § 177.834(i)(3) and (4), respectively.

8. SPECIAL PROVISIONS:

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

b. The marking requirements specified in §§ 172.301(b) and (c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by 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.:



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

PO: SSTANISZEWSKI