

March 27, 2006



U.S. Department
of Transportation

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

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 13484
(SECOND REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes DOT Specification MC 330, MC 331 and MC 338 cargo tank motor vehicles to be loaded with certain Division 2.2 liquefied gases using specially designed hoses in lieu of full time attendance by a qualified person during loading operations. 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. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 177.834(i) in that loading operations of certain Division 2.2 liquefied gases on DOT Specification MC 330, MC 331 and MC 338 cargo tanks may be performed using specially designed hoses in lieu of full time attendance by a qualified person; and that the marking requirements of § 172.302(c) are waived.
5. BASIS: This special permit is based on the application of Air Liquide Industrial U.S.L.P. dated June 28, 2005 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Oxygen, Refrigerated Liquid	2.2	UN1073	N/A
Argon, Refrigerated Liquid	2.2	UN1951	N/A
Nitrogen, Refrigerated Liquid	2.2	UN1977	N/A
Carbon Dioxide, Refrigerated Liquid	2.2	UN2187	N/A
Nitrous Oxide, Refrigerated Liquid	2.2	UN2201	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification MC 330, MC 331 or MC 338 cargo tank motor vehicle authorized for the material specified and meeting all DOT specification requirements.

b. OPERATIONAL CONTROLS -

(1) This special permit is limited to loading of cargo tank motor vehicles owned and operated by Air Liquide America.

(2) Hoses used for the loading operation must be: manufactured by Smart Hose Technologies, Inc.; equipped with an internal cable connected to "valve plungers" located on each end of the cable; and marked with the name of the manufacturer, the location (city and state) of the facility at which it is manufactured, and the date of manufacture.

(3) Each hose must be able to stop the flow of product from both the source and the receiving tank within one second without human intervention in the event of a hose rupture, disconnection or separation.

(4) Each loading facility must designate an employee or employees responsible for on-site monitoring of the loading operation. The designated employee(s) must be made familiar with the nature and properties of the product contained in a cargo tank being loaded on site, procedures to be followed in the event of an emergency, and, in the event of an emergency, have the ability and authority to take responsive actions. The loading operation must be inspected by one of the designated employees at least once every sixty (60) minutes and a log must be maintained documenting the times and dates of inspection. If more than one employee is "designated," during each shift or any other time when the cargo tank containing a hazardous material is being loaded, the special permit holder must specify which of the designated employees is responsible for on-site monitoring of the loading operation.

(5) Prior to the first use of any hose, it must be tested in accordance with the written procedures and acceptance criteria established and provided by Smart Hose Technologies, Inc. and on file with the Office of Hazardous Materials Exemptions and Approvals. Such written procedures must specify retest procedures and time frames for periodic requalification of each hose.

(6) Prior to each use, each hose must be inspected to ensure that it is of sound quality, without defects detectable through visual observation.

8. SPECIAL PROVISION:

a. The marking requirements of § 172.302(c) are waived.

b. A current copy of this special permit must be maintained at each loading facility where this special permit is utilized. A current copy of this special permit must be made available to a DOT representative upon request.

c. Shipping papers displaying "DOT-E 13484" may continue to be used until October 1, 2007, provided the special permit remains valid.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

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10. MODAL REQUIREMENT: 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

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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 Taylor" or similar, written over a faint circular stamp.

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

PO: PTO/AM