

December 19, 2018



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 20785

**EXPIRATION DATE: 2020-11-30**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Bayer Healthcare LLC  
Morristown, NJ
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of prototype non-DOT specification plastic aerosol containers 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. The most recent revision supersedes all previous revisions.
  - 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 § 173.306(a) (5) in that Division 2.1 gases are not authorized and that each container must be subjected to pressure testing in § 173.306(a) (5) (v) or a leakage test in § 173.306(a) (5) (vi), except as specified herein.
5. BASIS: This special permit is based on the application of Bayer Healthcare LLC dated September 21, 2018 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Aerosols, flammable, (each not exceeding 1 L capacity)	2.1	UN1950	N/A
Aerosols, non-flammable, (each not exceeding 1 L capacity)	2.2	UN1950	N/A

7. SAFETY CONTROL MEASURES:a. PACKAGING:

(1) Each non-DOT specification plastic aerosol container must conform to drawing 4490-0401A on file with the Office of Hazardous Materials Safety Approvals and Permits Division.

(2) Each non-DOT specification plastic aerosol container covered under the terms of this special permit may be pressurized to a maximum pressure of 125 psig.

(3) Non-DOT specification plastic aerosol containers covered under the terms of this special permit must be packaged within a 4GV fiberboard box successfully tested at the Packing Group I level. Completed packages may not exceed 30 kg (66 lbs.).

b. OPERATIONAL CONTROLS:

(1) After filling, each inside container must be weighed no less than 24 hours prior to placing in outer packagings and then visually inspected and weighed immediately prior to placing in the outer packagings. Any inside containers showing any signs of leakage or deformation must be rejected.

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(2) Transportation of packages under the terms of this special permit are only authorized to Purple Diamond in Nazareth, PA for the purpose of completion of testing conforming to § 173.306(a) (5).

(3) Completed packages must be marked and labeled in accordance with Part 172 of the HMR.

c. MARKING:

(1) Each inside container must be plainly and durably marked "DOT-SP 20785".

(2) Each outside packaging must be marked "INSIDE CONTAINERS COMPLY WITH DOT-SP 20785".

8. SPECIAL PROVISIONS:

a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).

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. Non-DOT specification containers specified in this special permit are authorized to be transported as limited quantities in accordance with 49 CFR 173.306(i)(1).

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:

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- 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 William Schoonover  
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](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: BenMOORE