



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

February 03, 2023

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21460

EXPIRATION DATE: 2024-01-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Amerex Corporation
Trussville, AL
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the transportation in commerce of non-specification cylinders exceeding 900 mL in capacity and containing a liquefied gas as fire extinguishers. 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 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.
 - 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 § 172.203(a) in that shipping papers need not bear the special permit number, § 172.301(c) in that cylinders need not be marked with the special permit number, and § 173.309(c) in that the non-specification cylinder may exceed 900 mL in capacity.
5. BASIS: This emergency special permit is based on the application of Amerex Corporation dated October 11, 2022, submitted in accordance with § 107.117 and the determination it is necessary to prevent significant injury to persons or property and additional information dated October 28, 2022, and November 2, 2022.

Tracking Number: 2022104457

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Fire extinguishers <i>containing compressed or liquefied gas</i>	2.2	UN1044	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Packagings prescribed are non-specification cylinders containing Bromochlorodifluoromethane (Halon 1211), which is a liquefied gas. Cylinders used in Amerex Halon extinguisher models C352, C354, B355, B369, B371, and 361 must have been manufactured by Amerex Corporation in accordance with Amerex drawings on file with the Office of Hazardous Materials Safety (OHMS). Fire extinguishers must be actively certified with Underwriters Laboratories to the UL 711 and/or 1093 Standards. The cylinders must meet all requirements for non-specification fire extinguishers in 49 CFR § 173.309(c) except that the capacity exceeds the limit of 900 ml (55 cubic inches) for liquefied gas. The maximum capacity for prescribed cylinders is 1,100 cubic inches. The maximum service pressure is 195 psig, and the test pressure is 585 psig.

b. TESTING: Cylinders must be tested in accordance with the requirements of 49 CFR § 173.309(c) and the information submitted with the application for special permit, on file with the OHMS.

c. OPERATIONAL CONTROLS: Cylinders manufactured prior to the issuance of this special permit are authorized to be transported under the terms of this special permit.

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 and it is offered 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.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, passenger-carrying aircraft, and cargo aircraft.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel, aircraft, or motor vehicle used to transport packages covered by this special permit. The shipper must furnish a 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 William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building PHH-13, 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 <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: CWF