



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

January 30, 2023

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21416
(FIRST REVISION)

EXPIRATION DATE: 2024-11-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Simpli Soda, LLC
Lake Mills, WI

2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain DOT 3AL, TC/3ALM and UN ISO 7866 cylinders that contain carbon dioxide, with alternative hazard communication. Additionally, cylinders with a gauge pressure less than 200 kPa (29.0 psig/43.8 psia) at 20 °C (68 °F) are authorized to be transported as a hazardous material under the conditions of 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 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, 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 171.2(k) in that no person may, by marking or otherwise, represent that a hazardous material is present in a package, container, or motor vehicle if the hazardous material is not present; Subparts C – F of Part 172 related to shipping papers, marking, labeling, and placarding and Subpart H of Part 172 that prescribes training for hazmat employees, except as provided herein.

Tracking Number: 2023014194

5. **BASIS:** This special permit is based on the application of Paradoxical Holdings, LLC dated July 15, 2022, submitted in accordance with § 107.105, the public proceeding thereon and additional information dated January 5, 2023.
6. **HAZARDOUS MATERIALS (49 CFR 172.101):**

| Hazardous Materials Description | | | |
|--|-------------------------------|------------------------------|----------------------|
| Proper shipping name | Hazard Class/ Division | Identification Number | Packing Group |
| Carbon dioxide | 2.2 | UN1013 | N/A |

7. **SAFETY CONTROL MEASURES:**

a. **PACKAGING:**

(1) Prescribed packaging are DOT 3AL, TC/3ALM and UN ISO 7866 cylinders with a maximum capacity of 0.64 liters and have:

- (i) A minimum working pressure of 1,800 psi;
- (ii) A maximum filling pressure of 1,350 psi; and
- (iii) A maximum filling weight of 436 grams of carbon dioxide.

(2) The cylinders are marked and labeled as required by the HMR, as appropriate.

(3) Cylinders must be securely packaged in an outer fiberboard box either with or without a dispensing machine.

b. **OPERATIONAL CONTROLS:**

(1) Simpli Soda, LLC is responsible as the offeror for all shipments made under this special permit.

(2) In place of the training requirements specified in subpart H of Part 172, persons offering the cylinders for transportation must comply with the closure instructions accompanying the fiberboard box. The grantee must provide publicly available training for customers and downstream shippers that is readily accessible through a public website.

(3) The grantee must provide alternative hazard communication including markings that communicate the UN number, proper shipping name, division and emergency response information, as described in this special permit.

(4) In lieu of a shipping paper with a shipper's certification as required in § 172.204, the shipping document or parcel label must include the following information: Carbon dioxide (UN1013) shipped under DOT-SP 21416, Emergency contact number. This information may also be marked on the package adjacent to where the shipping document or parcel shipping label is placed.

(5) Full truck load shipments of cylinders and shipments where there is an aggregate gross weight of cylinders in a vehicle or freight container exceeding 12,000 kg must be placarded according to the requirements of Part 172, Subpart F. For international vessel transportation, shipments of freight containers must be placarded as required by the IMDG Code Chapter 5.3.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a packaging that meets the requirements of this special permit may offer it for transportation provided the packaging is prepared and closed according to the instructions provided on or with the packaging, and it is reoffered for transportation in conformance with this special permit.

b. A current copy of this special permit must be maintained at all the grantee's facilities that provide packagings for, offer, or receive the cylinders authorized for shipment under this permit.

c. The grantee must make available to persons in the transport chain all information related to safety measures, package closure instructions and emergency response information described in the special permit.

d. The instructions for properly preparing the cylinders and closing the fiberboard box must be printed on or permanently affixed to the outer packaging in a manner that is readily visible to the person closing the box.

e. The package must be marked with a 24-hour emergency response number and its associated contract/reference number. The phone number must be manned 24-hours per day. The marking must be 12mm in height at a minimum.

f. A Quick Response (QR) scannable code and a URL must be marked on the package and must be directly linked to a training course, safety information, emergency response information, closure instructions, a copy of this special permit and a customer

care line where any questions including those related to compliance with this special permit can be addressed.

- g. A 1-800 customer service line must be indicated on the package to assist customers, shippers and carriers to comply with the conditions of the special permit.
- h. The outer package must be marked “DOT-SP 21416”.
- i. The grantee must clearly and durably mark at least one side of the outer package with the information below:
 - (i) Carbon Dioxide;
 - (ii) Division 2.2; and
 - (iii) Pressurized Gas
- j. The information required in paragraph 8.i. must be placed adjacent to the mark indicated below.



The “UN 1013” marking must be displayed within a square-on-points shaped area surrounded by a line that measures at least 100mm by 100mm on each side. When the package dimensions are such that the 100mm mark cannot be accommodated, the mark may be proportionately reduced to the largest possible dimensions that can be accommodated. The minimum measurement allowed is 30mm on each side.

- k. The maximum number of enclosed cylinders must be indicated on the exterior of each package.

- I. For transportation between distribution centers or for reverse logistics, dispensing machines shipped in their retail packaging may be shipped without the markings specified in paragraphs 8.d. through k. on the retail packaging when the retail packagings are transported on shrink wrapped pallets that have the markings specified in paragraphs 8.d. through k. attached to a pallet sheet on all four sides of the pallet. When marking the pallet, the 100mm by 100mm mark must be used.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel 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.

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-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: ae