

October 26, 2005



U.S. Department
of Transportation

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

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 4453
(FOURTEENTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain Division 1.5D materials described in paragraph 6 below contained in a non-DOT specification bulk, hopper-type tank. 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101, Column (8C), § 173.62 in that a non-DOT specification package is not authorized except as specified herein; and §§ 176.83 and 176.415.
5. BASIS: This special permit is based on the application of Austin Powder Company dated February 3, 2004 submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Ammonium nitrate-fuel oil mixture <i>containing only prilled ammonium nitrate and fuel oil</i>	1.5D	NA0331	II
Explosive, blasting, type B or Agent, blasting, Type B	1.5D	UN0331	II
Explosive, blasting, type E or Agent, blasting, Type E	1.5D	UN0332	II

NOTE: Other blasting explosives must be specifically identified to, and acknowledged in writing, by the Office of Hazardous Materials Special Permits and Approvals (OHMSPA) prior to the first shipment.

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are hopper-type aluminum tanks, which may be equipped for pneumatic unloading as follows:

(1) Units must conform to the description given in Sierra Chemical Company's letter of November 9, 1972 or in brochures published by Sudenga Industries, Inc., Georgia, Iowa; I&M Equipment Corporation; Ripco, Inc.; Sprout-Waldron & Company; or in conformity with Trailmobile Company Drawings B-832-3385 modified in accordance with Trailmobile's letter dated September 21, 1965 and B1810-4, on file with the OHMSPA.

(2) Use of vehicles built by Amerind, Inc., is also authorized, provided the units are structurally similar to the vehicles covered by DOT-SP 5206.

(3) Fontane Truck Equipment units described in Austin Powder Company's application; Butler Manufacturing Company's units identified as Models 1025, 1200 and Model 1500 as shown in Dwg B-910553; Fruehauf Hopper Pressure Bulk Haul Tank Trailer model HABF2J. Descriptions and drawings of all these units are on file with the OHMSPA.

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(4) Other units specifically identified to, and acknowledged in writing by the OHMSPA prior to the first shipment are also authorized.

b. OPERATIONAL CONTROLS -

(1) The bulk blasting agent may not remain in the vehicle for any time period that could result in caking. The equipment must be cleaned frequently enough to assure against any accumulation of product or its packing.

(2) Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident. A copy of written instructions must be provided to the masters of cargo vessels used to transport bulk blasting agents under this special permit.

8. SPECIAL PROVISIONS:

a. 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 or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

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

c. Each motor vehicle must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background "DOT-SP 4453".

d. Motor vehicles and packagings permanently marked 'DOT-E 4453', prior to October 1, 2006 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Motor vehicles and packagings marked on or after October 1, 2006 must be marked 'DOT-SP 4453'.

e. Shipping papers displaying 'DOT-E 4453' may continue to be used until October 1, 2006, provided the special permit remains valid.

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9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel.

10. MODAL REQUIREMENTS:

a. A current copy of this special permit must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this special permit.

b. For transportation by cargo vessel:

(1) The motor vehicles must be stowed "on deck only".

(2) The blasting agents must be segregated from other hazardous materials in accordance with the requirements for Division 1.5D Explosives. In addition, the blasting agents must be stowed "separate from" non-regulated readily combustible materials, as defined in § 176.83(d).

(3) The motor vehicles must be stowed in a readily accessible location which can be reached by at least two streams of water from separate fire hydrants or if carried on an unmanned barge by an effective stream of water from a vessel alongside.

(4) Before packages covered by this special permit are loaded on or discharged from a vessel at any place in United States, the carrier must obtain a permit from the Coast Guard Captain of the Port. A copy of this special permit must be provided to the Captain of the Port when requesting a 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.

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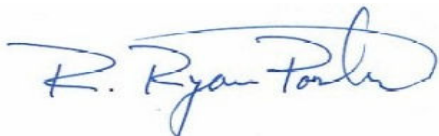
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when the special permit has expired or is 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 Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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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: SCW/ALB