

February 2, 2006



U.S. Department  
of Transportation

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

**Pipeline and  
Hazardous Materials  
Safety Administration**

DOT-SP 6309  
(EIGHTH REVISION)

EXPIRATION DATE: January 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Foam Supplies, Inc.  
Earth City, MO
2. PURPOSE AND LIMITATION:
  - a. This Special Permit authorizes the transportation in commerce of certain non-flammable compressed gases in a non-DOT specification portable tank described in paragraph 7 below. 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. 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 §§ 173.315(a), in that a non-DOT specification portable tank is not authorized, except as specified herein.
5. BASIS: This Special Permit is based on the application of Foam Supplies, Inc. dated December 9, 2005, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Compressed gases, n.o.s.	2.2	UN1956	N/A

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - Prescribed packaging is a non-DOT specification steel portable tank with a nominal water capacity of not over 1,050 gallons, except tanks having National Board Nos. 157646 and 157647 with a nominal water capacity of 1,850 gallons, and a minimum design pressure of 250 psig. Each tank must be fabricated in accordance with the ASME Code and must comply with Olin Plastics drawing #630010, dated September 9, 1969, or American Bridge drawing #235814, Revision A, dated June 18, 1968. No new construction is authorized.
- b. Each portable tank must be equipped with at least one safety relief valve so arranged to discharge upward and unobstructed to the outside of the protective housing.
- c. Safety relief valves on any portable tank must be set to start-to-discharge at a pressure not in excess of 110% of the design pressure of the tank and must have a total relieving capacity sufficient to prevent a maximum pressure in the tank of more than 120% of the design pressure.
- d. The portable tank may be mounted on wheels. If so mounted, the shipper must adequately secure the portable tank to the vehicle to ensure compliance with § 177.834(g) under conditions normally incident to transportation. As an alternative, the carrier may provide vehicles specially designed to handle wheeled tanks.
- e. Each wheeled tank must be equipped with adequate tie down devices. These devices can be at each end of the tank with minimum strength equal to the weight of the container fully loaded or they can be affixed to the tank chassis with strength equal to twice the weight of the container fully loaded.

- f. Each tank must comply with § 178.337-10.
- g. The maximum authorized filling density is 95%.
- h. The maximum authorized pressure in the tank at 70°F is 100 psig.
- i. Each tank must be plainly marked on both sides near the middle, in letters and numerals at least two inches high on a contrasting background "DOT-SP 6309".
- j. Each portable tank must be reinspected and retested once every 5 years in accordance with § 173.32(e) as prescribed for DOT Specification 51 portable tanks.

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. Portable tanks may not be transported in trailer-on-flatcar (TOFC) service except under conditions approved by the Associate Administrator for Safety, Federal Railroad Administration (FRA). Portable tanks may be transported in container-on-flatcar (COFC) service only under the following conditions:
  - (1) Portable tanks must be equipped to be securely attached to a railcar equipped with an ISO standard COFC basic pedestal system designed for container support and securement;
  - (2) Each railcar used to transport portable tanks must be equipped with a cushioning system that meets the requirements of the Association of American Railroad Specification M-952-82; and
  - (3) Shipments made under this Special Permit must be in accordance with § 174.84.

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- d. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
- e. Packages permanently marked 'DOT-E 6309', prior to October 1, 2007 may continue to be used under this special permit for the remaining service life the package or until the special permit is no longer valid. Packages marked after October 1, 2007 must be marked 'DOT-SP 6309'.
- f. Shipping papers displaying 'DOT-E 6309' may continue to be used until October 1, 2007, provided the special permit remains valid.
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 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:
- 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.

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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

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](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: PTolson/kah