

August 27, 2008



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 11318
(ELEVENTH REVISION)

EXPIRATION DATE: February 28, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: W.R. Grace and Co. - Conn.
(Former Grantee: Basell, USA, Inc.)
Columbia, MD
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the continued transportation in commerce of certain un-insulated DOT Specification 51 portable tanks that are currently authorized for the material identified in paragraph 6 below, except that the portable tanks do not meet the provisions of Section 172.101 Special Provision B14 or T38. 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 § 172.102 in that the DOT specification 51 portable tanks authorized under this special permit do not meet the requirements in Special Provision B14 or T38.

5. BASIS: This special permit is based on the application of Basell USA, Inc., dated March 15, 2006 submitted in accordance with § 107.109 and additional information from W.R. Grace and Co.- Conn., dated July 8, 2008 and July 26, 2008.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification	Packing Group
*Corrosive liquids, toxic, n.o.s.	8	UN2922	II
Titanium tetrachloride	8	UN1838	II
Toxic liquid, corrosive, inorganic, n.o.s.	6.1	UN3289	I
Toxic by inhalation liquid, corrosive, n.o.s.	6.1	UN3390	I

*Applicable only for shipments offered for transport by vessel in accordance with IMDG Code and §§ 171.22 and 171.23.

7. SAFETY CONTROL MEASURES:
- a. PACKAGING - Prescribed packagings are the uninsulated DOT Specification 51 portable tanks manufactured of ASTM A-516-GR70 carbon steel. The tanks have: a wall thickness of 0.500 inch; maximum allowable working pressure of 200 psig; and nominal water capacities of 250 or 430 gallons.
 - b. TESTING - Each portable tank must be tested, retested, and inspected as required for DOT Specification 51 portable tanks.

- c. Drivers must be trained and instructed to, when possible, move their vehicle away from the site of an accident involving a loss of fuel or fire, provided no lives will be endangered by moving their vehicle.
- d. Portable tanks authorized by this special permit must be transported in enclosed motor vehicles or in freight containers.

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. The portable tanks covered by this special permit must be marked "DOT-SP 11318" on two sides in letters and numbers two inches high on a contrasting background in addition to the DOT Specification 51 marking.
- d. DOT Specification 51 portable tanks currently in the distribution chain are exempt from the required marking of paragraph 8.c above and the special permit reference on shipping papers until they are refilled.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.

10. MODAL REQUIREMENTS:

- a. A current copy of this special permit must be carried aboard each motor vehicle and cargo vessel covered by this special permit.
- b. Each motor carrier involved with the transportation of the portable tanks authorized under the terms of this special permit must have a "Satisfactory" safety rating, as prescribed in 49 CFR.

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 the 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 Theodore L. Willke
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 Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: dl