

July 10, 2006



U.S. Department  
of Transportation

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

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 10753  
(TENTH REVISION)

EXPIRATION DATE: June 30, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Pestcon Systems, Inc.  
Wilson, North Carolina
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of an aluminum phosphide based pesticide which meets the definition of a Division 4.3 material to be shipped as aluminum phosphide pesticide, a Division 6.1 material. The aluminum phosphide pesticide must be shipped in a limited number of specially designed containers transported by private motor vehicle. The motor vehicles used under the terms of this special permit are not required to be placarded. 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. Party status will not 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 § 172.504 in that placarding is not required, except as specified herein.
5. BASIS: This special permit is based on the application of Pestcon Systems, Inc. dated June 29, 2006, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identifi- cation Number</b>	<b>Packing Group</b>
Aluminum phosphide pesticides	6.1	UN3048	I

7. PACKAGING AND SAFETY CONTROL MEASURES:
  - a. Packaging authorized is a combination packaging of a UN4G fiberboard box with inner aluminum canisters.
  - b. Individual aluminum canisters may not contain more than 1.5 kilograms of aluminum phosphide pesticide and must be adequately cushioned from one another in the outer specification 4G fiberboard box.
  - c. A single motor vehicle or a single completed combination package may not contain more than 21 kilograms of aluminum phosphide.
  - d. Packages must be stowed within metal boxes or metal compartments within each motor vehicle.
8. SPECIAL PROVISIONS:
  - a. Distributors for Pestcon Systems, Incorporated and licensed pest control operators using Pestcon's "Aluminum phosphide pesticide" product are authorized to transport the packages covered under the terms of this special permit and § 173.22a.

- b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
  - c. Only private motor vehicles used in pest control operations are authorized to transport the packages covered by the terms of this special permit.
  - d. Each inner and outer package must be labeled POISON and DANGEROUS WHEN WET. The inner packages may be labeled in accordance with § 172.407(f), which authorizes labels conforming to specifications in the UN Recommendations. (The Recommendations permit packages with dimensions that cannot accommodate the required 4"x4" label to use smaller labels, see 13.4.1). Vehicles transporting these packages need not display DANGEROUS WHEN WET placards.
  - e. The outside of each package must be marked "DOT-SP 10753".
  - f. Drivers must have been instructed as to necessary safeguards and proper procedures in the event of unusual delay, fire or accident.
  - g. The use of exceptions for materials of trade under § 173.6 is prohibited under the terms and conditions of this special permit.
  - h. Packagings permanently marked 'DOT-E 10753', prior to October 1, 2007 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. Packagings marked on or after October 1, 2007 must be marked 'DOT-SP 10753'.
  - i. Shipping papers displaying 'DOT-E 10753' may continue to be used until October 1, 2007, provided the special permit remains valid.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle.

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.:

A handwritten signature in blue ink, appearing to read "R. Ryan Parker". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

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: sln