

May 3, 2006



U.S. Department  
of Transportation

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

**Pipeline and  
Hazardous Materials  
Safety Administration**

DOT-SP 10904  
(SEVENTH REVISION)

EXPIRATION DATE: April 30, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: InVitro International  
Irvine, CA
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the use of a classification test method for the determination of skin corrosivity as an alternative to a procedure specified in the Hazardous Materials Regulations (HMR). This special permit provides no relief from the 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: The marking requirements of §§ 172.203(a), 172.301(c) and 172.302(b) and (c); and §§ 173.136(a) and 173.137 in that the use of a non-animal test method is not authorized except as specified herein.
5. BASIS: This special permit is based on the application of InVitro International dated April 26, 2006, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS:

The following types of materials may be tested as specified by this special permit:

- a. Acids, inorganic and organic.
- b. Acid derivatives (anhydrides, haloacids, salts etc.), inorganic and organic.
- c. Acyl halides.
- d. Alkylamines and polyalkylamines.
- e. Bases, inorganic and organic.
- f. Chlorosilanes.
- g. Metal halides and oxyhalides.

7. SAFETY CONTROL MEASURES:

- a. As an alternative to the procedure specified in § 173.136(a), the corrosivity of a material described in Paragraph 6 above may be determined in accordance with the test method specified in Paragraphs 4.4A through 4.4E of InVitro International's application dated September 28, 1992, as amended.
- b. For materials that are determined to be corrosive, packing groups must be assigned according to Paragraph 4.4C of the application.

8. SPECIAL PROVISIONS:

- a. This special permit authorizes the use of an alternative test method for the determination of skin corrosivity by any person or class of persons, in addition to the holder of this special permit, subject to the terms specified herein. However, no person may apply the test method authorized by this special permit unless that person maintains a current copy of this special permit and the test method identified in Paragraph 7 above at each facility where the tests are performed for the purpose of determining the hazard class and packing group of a material for its transportation in commerce.
- b. A current copy of this special permit must be retained by each person initially offering a hazardous material for transportation under this special permit.

- c. Packages containing corrosive materials, classed and assigned packing groups as authorized by this special permit, may be offered and reoffered for transportation and transported in the same manner as required for corrosive materials classed according to § 173.136(a).
- d. The marking requirements of 49 CFR, §§ 172.203(a), 172.301(c) and 172.302(b) and (c) are waived unless another special permit is involved requiring the display of an special permit number.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, passenger-carrying aircraft.
10. MODAL REQUIREMENTS: None as a condition of 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.
  - 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 appropriate.

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 when it 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 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: GEC/sln