

January 19, 2006



U.S. Department
of Transportation

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

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 8939
(SEVENTH REVISION)

EXPIRATION DATE: December 31, 2009

(FOR RENEWAL, SEE 49 § 107.109)

1. GRANTEE: Hollice Clark Truck Fabrication, Inc. (HCTFI)
Odessa, Texas
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, marking, sale and use of six (6) non-DOT specification portable tanks manifolded together within a frame and securely mounted on a truck chassis for the transportation in commerce of flammable liquids and corrosives liquids described in paragraph 6 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.242 in that a non-DOT specification packaging is not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of Hollice Clark Truck Fabrication, Inc. dated October 12, 2005, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description - - proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Corrosive liquids, n.o.s. (Which are corrosive to skin only and are compatible with the tank and its appurtenances)	8	UN1760	II III
Flammable liquid, corrosive, n.o.s.	3, 8	UN2924	II or III, as appro- priate
Flammable liquid, toxic, n.o.s.	3, 6.1	UN1992	II
Flammable liquids, n.o.s (having vapor pressure less than 16 psig at 130 degrees F)	3	UN1993	II III

7. SAFETY CONTROL MEASURES:

a. Packaging prescribed is a group of six (6), sixty (60) gallon capacity, non-DOT specification portable tanks manifolded together within a frame, having top and bottom openings, designed and constructed in accordance with HCTFI's drawing, Chemical Tanks and Full Flow Vent, dated October 1, 1982, on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA), and in compliance with the following:

(1) The tank must comply with DOT Specification 57 in all respects except for specification marking, water capacity and that the use of sight glasses is authorized. Each sight glass must have shut off valves, top and bottom and be provided with adequate protection to prevent accidental breakage.

(2) Material authorized must be in conformance with that specified on HCTFI's drawing or as prescribed in § 178.251-2(d)(2) for stainless steel.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this special permit and the HMR.

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

d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

e. A current copy of this special permit must be maintained at each facility where the package is manufactured under this special permit. It must be made available to a DOT representative upon request.

f. A test report documenting a satisfactory prototype test for this tank design must be on file with the OHMSPA prior to the first shipment.

g. Hydrostatic test certificates for each tank must be maintained by the manufacturer or owner and made available upon request to any representative of the Department of Transportation.

h. Each tank must be filled so as not to be liquid full at less than or equal to 130°F.

i. Sight glass shut off valves must be secured during transportation.

January 19, 2006

- j. Tanks are only authorized when manifolded together in a group of six within a frame.
- k. Marking and placarding requirements specified for cargo tanks in 49 CFR Part 172, Subpart D and Subpart F, must be met. Also each manifolded unit must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-SP 8939".
- l. Each tank must be (i) visually inspected prior to each trip to ensure that it has not been damaged on the previous trip; and (ii) reinspected and retested once every two years in accordance with § 173.32(e) as prescribed for DOT Specification 57 portable tanks at a minimum pressure of 10 psig.
- m. Packagings permanently marked 'DOT-E 8939', 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 8939'.
- n. Shipping papers displaying 'DOT-E 8939' 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 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.

January 19, 2006

- o Registration required by § 107.601 et seq., when applicable.

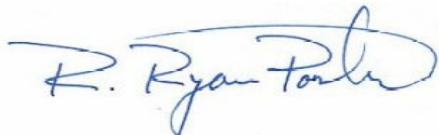
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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.

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

January 19, 2006

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