

April 2, 2007



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Material Safety Administration**

DOT-SP 8995
(SIXTEENTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain Division 2.2 materials in a non-DOT specification portable tank. 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. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
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 packaging is not authorized except as specified herein; and § 174.63(c)(1) in that Division 2.2 materials are not authorized except as specified herein.
5. BASIS: This special permit is based on the application of Flexible Products Company of Marietta, GA, dated March 22, 2007, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Compressed gas, n.o.s.	2.2	UN1956	N/A
Flammable liquid, n.o.s. (Cyclopentane)	3	UN1993	II
1,1,1,2-Tetrafluoroethane or Refrigerant gas R 134a	2.2	UN3159	N/A

7. SAFETY CONTROL MEASURES:

a. Prescribed packaging is as follows:

(1) Non-DOT specification steel portable tanks with a nominal water capacity of not over 2,050 gallons, and a minimum design pressure of 250 psig. Each tank must be fabricated in accordance with the ASME Code and must conform to Olin Plastics drawing #630-010, dated September 9, 1969; American Bridge drawing #23-5814, Revision A, dated June 18, 1968; American Welding and Tank drawing #U-2050 dated January 3, 2000; or the Chemi-Trol Chemical Company drawings submitted with Flexible Products, Inc.'s application January 10, 1989. In addition, each tank must meet the following:

i. Each tank must be equipped with at least one pressure relief valve so arranged to discharge upward and unobstructed to the outside of the protective housing.

ii. Pressure relief valves on any 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.

iii. The tank may be mounted on wheels. If so mounted, it must be the responsibility of the shipper to adequately secure the vehicle to insure

April 2, 2007

compliance with § 177.834(a) under conditions normally incident to transportation. As an alternative, the carrier may provide vehicles specially designed to handle such wheeled tanks.

iv. Each wheeled tank must be equipped with adequate tie-down devices. The aggregate static breaking strength of the tie-down assemblies used to secure a tank against movement in any direction must be at least 2 times the weight of the fully loaded tank.

v. Each tank that is permanently mounted on a motor vehicle must comply with § 178.337-10.

vi. The maximum authorized pressure in the tank at 70°F is 100 psig, and in no case may the pressure exceed 150 psig at 115°F.

b. TESTING - Each portable tank must be reinspected and retested once every 5 years in accordance with § 180.605 as prescribed for DOT Specification 51 portable tanks.

c. OPERATIONAL CONTROLS - Each tank must be filled to provide a minimum ullage of 5 percent.

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. Each portable tank must be plainly marked on both sides near the middle, in letters at least two inches high on contrasting background, "DOT-SP 8995."

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

d. Packages permanently marked 'DOT-E 8995', 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. Packages

April 2, 2007

marked on or after October 1, 2007 must be marked 'DOT-SP 8995'.

e. Shipping papers displaying 'DOT-E 8995' may continue to be used until October 1, 2007, provided the special permit remains valid.

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

10. MODAL REQUIREMENTS:

a. A current copy of this special permit must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this special permit.

b. A portable tank may not be transported by rail on flatcars or on flat trailers on flatcars, except under conditions approved by the Associate Administrator for Safety, FRA.

If a portable tank is shipped inside a rail car, the tank must be secured so that it cannot permanently change position during transit.

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.

April 2, 2007

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 -- OHMSPA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued at Washington, D.C.:



for Bob Richard
Deputy 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: PTOlson/dl