

December 22, 2006



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 12173
(FOURTH REVISION)

EXPIRATION DATE: November 30, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: ConocoPhillips Alaska, Inc.
Anchorage, AK
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of nitrogen, refrigerated liquid, in non-DOT specification vacuum insulated portable tanks manufactured under a current DOT special permit by cargo aircraft in Alaska. 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 § 172.101 Table Column 9B, in that the limit of 500 kg per package by cargo aircraft is exempted and a quantity of 2200 gallons per package is authorized; and §§ 173.315 and 175.3 in that a non-DOT specification packaging is authorized.

5. BASIS: This special permit is based on the application of ConocoPhillips Alaska, Inc., dated December 20, 2006, 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
Nitrogen, refrigerated liquid	2.2	UN1977	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is non-DOT specification vacuum insulated steel portable tanks manufactured under DOT-SP 7227, DOT-SP 7985 and DOT-SP 12211 each with capacities not exceeding 2200 gallons.

b. TESTING - Each portable tank must be reinspected and retested once every five years in accordance with the procedure prescribed in § 180.605(g) for DOT Specification 51 portable tanks. The test pressure for the inner tank must be determined from the following formulas:

If there is no vacuum in the outer jacket during test:

$$P_T = 1.25 \times P_d$$

If vacuum exists in the outer jacket during test:

$$P_T = [1.25 \times P_d] - 14.7$$

Where:

P_T = Test pressure, psig

P_d = Design pressure (the sum of the maximum allowable working pressure, liquid head and 14.7 psi)

c. OPERATIONAL CONTROLS -

(1) The portable tanks must be blocked and braced to prevent movement in the aircraft during transportation.

(2) Each portable tank must be prepared and shipped as required in § 173.318, as applicable for the lading. Additionally, filling and transport conditions must consider any possible pressure rise during air transportation above the pressure controlling valve set-to-discharge pressure.

(3) ConocoPhillips Alaska, Inc. must:

(a) ensure that transit time does not exceed the "One Way Travel Time" marked on the portable tank or the calculated marked rated holding time for each portable tank;

(b) identify the serial numbers and other identifiers of each tank to the Office of Hazardous Materials Exemptions and Approvals prior to first shipment.

(4) Shipments must be made in a Lockheed C-130 type aircraft.

8. SPECIAL PROVISIONS:

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

b. Transportation is authorized between airports in the Colville River Field, Anchorage and Deadhorse, Alaska.

c. Packagings permanently marked 'DOT-E 12173', 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 12173'.

d. Shipping papers displaying 'DOT-E 12173' may continue to be used until October 1, 2007, provided the special permit remains valid.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo aircraft only
(See paragraphs 7.c., 8.b., and 10.b. for limitations).

10. MODAL REQUIREMENTS:

a. A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a current copy of this special permit to the air carrier before or at the time the shipment is tendered.

b. The appropriate Federal Aviation Administration Civil Aviation Security Office must be notified prior to each shipment.

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 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.

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

PO: PTO/sln