

April 27, 2007



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 12358
(FOURTH REVISION)

EXPIRATION DATE: March 31, 2011

1. GRANTEE: BIC Corporation
Milford, CT
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes shipments of lighters to be transported in commerce from the U.S. to a BIC facility in Canada, without marking the special permit number on shipping papers and packagings, or applying labels, as required by the Hazardous Materials Regulations (HMR). This special permit provides no relief from the Hazardous Materials Regulations other than as specifically stated.
 - 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 § 172.400 in that the labeling requirement is waived, and §§ 172.301(c) and 172.203(a) in that marking the special permit number on shipping papers and packagings is waived.
5. BASIS. This special permit is based on the BIC Corporation's application dated April 25, 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
Lighters <i>or</i> Lighter refills	2.1	UN1057	n/a

7. SAFETY CONTROL MEASURES:

- a. PACKAGINGS: Packagings prescribed meet DOT specification packaging requirements under § 173.308.
- b. Lighters shipped under the terms of this special permit must be approved under § 173.21(i).
- c. Shipments must comply with all DOT requirements for lighters, including marking (except as stated in paragraph 7(g)), shipping paper and placarding requirements.
- d. Packages will originate only from BIC facilities located in the U.S. and be transported to a BIC facility in Ontario, Canada.
- e. The lighters must be transported in closed vehicles by contract carriers in exclusive use service. The vehicles must be sealed at the point of loading.
- f. The packages must be prepared, loaded and unloaded by appropriately trained BIC personnel or agents acting on BIC's behalf.
- g. MARKING: Marking the special permit number on shipping papers and packagings is waived.

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 modifications or changes are made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

- b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
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 and be readily available in accordance with § 177.817(e).
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.:



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: sln