

March 12, 2009



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 12412
(SEVENTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the discharge of liquid hazardous materials from certain UN Intermediate Bulk Containers (IBCs) and DOT Specification 57 portable tanks without removing them from the vehicle on which they are transported. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with other uses not 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 § 177.834(h), in that a UN IBC or DOT Specification 57 portable tank is unloaded while on a motor vehicle, and the marking requirements in § 172.302(c).

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5. BASIS: This special permit is based on the applications of Brenntag Southwest and Brenntag Pacific dated August 11, 2008 submitted in accordance with § 107.105 and the public proceeding thereon.
- 6.
7. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
All liquid materials authorized to be shipped in metal, rigid plastic and composite UN IBCs or DOT Specification 57 portable tanks.	As appropriate	As appropriate	As appropriate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a UN 31A, 31B, 31N, 31H1, 31H2 or 31HZ1 IBC or DOT Specification 57 portable tank.

(1) The packagings may not be manifolded together or have discharge outlets hard piped onto the vehicle.

(2) An IBC or Specification 57 portable tank that contains a liquid hazardous material of Class 3, PG II, or PG III with a flash point of less than 100°F (38°C); Division 5.1, PG II; or Division 6.1, PG II, must conform to the outlet requirements in §§ 178.275(d)(3) or § 178.345-11 as applicable.

b. TESTING - Each IBC or DOT 57 portable tank must be retested and reinspected as specified in § 180.352 and § 180.605 respectively.

c. OPERATIONAL CONTROLS -

(1) The IBC or DOT 57 portable tank must be attended by a qualified person at all times during unloading operations. For the purposes of this requirement,

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"attended" and "qualified" have the meanings described in § 177.834(i)(3) and (4), respectively. For combustible liquids and other liquids in Packing Group III, "attended" has the meaning prescribed in § 177.837(d).

(2) Hoses may not be attached to discharge outlets during transportation (movement) of the motor vehicle.

(3) The packages may be unloaded but may not be filled or refilled while on a motor vehicle; unless filled or refilled on the private property of the shipper or filler, or refiller.

(4) Two or more materials may not be loaded on the same vehicle if any mixture of the materials would cause an unsafe condition.

(5) Each IBC or DOT 57 portable tank must be discharged by:

(i) using a mechanical pump with a positive means of stopping the flow of liquid from the pump;

(ii) gravity; or

(iii) pressurizing the IBC or portable tank.

(6) Before starting each transfer from an IBC or DOT 57 portable tank to a receiving system, the person performing the function must determine that each component of the discharge system (including hose) is of sound quality and free of leaks and that connections are secure.

(7) A hose or associated equipment that shows signs of leakage, significant bulging, or other defects may not be used.

(8) If the IBC or DOT 57 portable tank is unloaded using a pump, or if it is pressurized for unloading, prior to using a new or repaired transfer hose, the hose assembly (the hose and associated fittings) must be subjected to a pressure test. The pressure test must be performed at no less than the pressure the hose is expected to be subjected to during product transfer. This test must include all hose and hose fittings arranged in the configuration to be employed during

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transfer operations. Burst pressure of the hose must be at least four times the service pressure of the pump.

(9) If the IBC or DOT 57 portable tank is pressurized, it must be equipped with a pressure relief device set to open at not higher than two-thirds of the test pressure or 9 psig in the case of a metal IBC.

(10) During transportation, either:

(i) All hazardous material must be purged from the pump, if equipped, piping and the discharge hose prior to re-entering transportation; or

(ii) All free-flowing hazardous material must be removed from pump, if equipped, piping and the discharge hose in accordance with § 173.33(e) prior to re-entering transportation. Residue remaining in these devices after product draining is not subject to this requirement provided that these devices are capped and secured during transportation.

In either case, hoses may not remain attached to the IBCs or portable tanks during transportation.

(11) Prior to refilling, each IBC and its service equipment must be visually inspected in accordance with the provisions of §§ 173.35(b) and 180.352.

(12) Prior to refilling, each DOT Specification 57 portable tank and its service equipment must be visually inspected in accordance with the provisions of § 180.605.

(13) Transportation is limited to private or contract motor vehicle.

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. The marking requirement of § 172.302(c) is waived.

c. For the transportation of hypochlorite solutions and fluosilicic acid, the restrictions in paragraph 7.c.(4) are waived when transported in separate IBCs on a motor vehicle and:

(i) no more than two IBCs are transported on a motor vehicle;

(ii) each IBC has a capacity not to exceed 450 gallons;

(iii) the materials may not be unloaded at the same time; and

(iv) the hazardous materials are used for water treatment purposes only.

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.
 - 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 Theodore L. Willke
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: MooreBe