

April 21, 2006



U.S. Department
of Transportation

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

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 12817
(THIRD REVISION)

EXPIRATION DATE: March 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Phibro-Tech, Inc.
Fort Lee, NJ
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the reuse of specification UN 1H1 non-removable head plastic drums for the transportation of certain Class 8 materials to Environmental Protection Agency (EPA) licensed treatment, storage or disposal facilities. 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. No party status will 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 § 172.301(c) in that marking the special permit number on each drum is waived; and §§ 173.12(c) and 173.28(b)(2) in that reuse of packagings is not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of Phibro-Tech, Inc. dated March 28, 2006, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Specific materials authorized by the HMR to be transported in UN 1H1 drums.	8	As appropriate	As appropriate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The packagings prescribed are specification UN 1H1 non-removable head plastic drums authorized by the HMR for use in the transportation of the Class 8 materials identified in paragraph 6 above.

b. TESTING - The leakproofness test by air, required prior to reuse under § 173.28(b)(2), is waived (see paragraph 7(c)(4) for restriction).

c. OPERATIONAL CONTROLS -

(1) Transportation is limited to motor vehicles only.

(2) No package may be offered for transportation less than 24 hours after it is finally closed for transportation, and each package is inspected for leakage and is found to be free from leaks immediately prior to being offered for transportation.

(3) Each package is loaded by the shipper and unloaded by the consignee, unless the motor carrier is a private or contract carrier.

(4) No drum may be reused under the terms of this special permit for more than one shipment without being leakproofness tested with air.

(5) Transportation is limited to shipments that are consigned to U.S. Environmental Protection Agency (EPA) licensed treatment, storage or disposal facilities (TSDF), but not subject to the Hazardous Waste Manifest Requirements of the EPA specified in 40 CFR part 262. Each shipment offered for transportation or transported

under the terms of this special permit must include on the shipping paper the company name, site address, and EPA designated twelve digit identification number of the TSDF to which the shipment is consigned.

d. MARKING - The marking requirements of § 172.301(c) are 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.

c. Shipping papers displaying 'DOT-E 12817' 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.

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

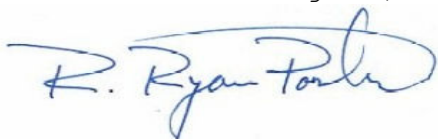
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: PHH-31.

April 21, 2006

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: KFW/dl