

October 24, 2007



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 13027
(FIFTH REVISION)

EXPIRATION DATE: September 30, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Hernco Fabrication & Services
Midland, TX
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, marking, sale, and use of multiple non-UN standard containers conforming with all regulations applicable to a UN31A intermediate bulk container, except as provided herein. The containers are manifolded together within a frame and securely mounted on a truck chassis. 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.202, 173.203, 173.241, 173.242 and 173.243 in that a non-UN standard IBC is not authorized, except as provided herein.
5. BASIS: This special permit is based on the application of Hernco Fabrication & Services dated June 14, 2007, submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Corrosive liquids (Class 8 liquids which are corrosive to skin only and which are compatible with the tank and its appurtenances)	8	Various	II or III, as appropriate
Flammable liquid, corrosive, n.o.s.	3, 8	UN2924	II or III, as appropriate
Flammable liquids (Class 3 materials having a vapor pressure less than 16 psia at 130°F)	3	Various	II or III, as appropriate
Hexanes (Class 3 having a vapor pressure less than 16 psia at 130°F)	3	UN1208	II
Hydrochloric acid	8	UN1789	II
Isopropanol	3	UN1219	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a group of non-UN standard containers manifolded together within a frame, having top and bottom openings designed and constructed in accordance with Hernco Fabrication & Services drawings and technical specifications on file with the Office of Hazardous Materials Special Permits and Approvals. Each container is sixty (60) gallons or less in capacity and must be equipped with a 2" Clay and Bailey Mfg. Co. Model #937 Pressure Actuated Vent, or equivalent. In addition, each container must be in compliance with the following:

- (1) Containers must conform with the requirements of a UN standard UN31A intermediate bulk container (IBC) in all respects except for specification marking, water capacity and that the use of sight glasses and intrinsically safe electronic level gauges are authorized.

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(2) Each sight glass must have shut-off valves, top and bottom and be provided with adequate protection to prevent accidental breakage.

b. TESTING -

(1) Testing on newly constructed containers must be performed after installation of the compression fitting and coupler used to affix the intrinsically safe electronic level gauge to the tank.

(2) After the drop test is performed as described in § 178.810(c), a manifolded unit must also be subjected to a drop flat on a side, flat on the top, and on a corner, whichever is considered to be the most vulnerable part. The same or different container may be used for each drop.

(3) Tanks that will be retrofitted with the electronic level gauge must be subjected to the leakproofness test described in § 178.813 after installation of the compression fitting and coupler used to affix the intrinsically safe electronic level gauge to the tank.

(4) Each container must be visually inspected prior to each trip to insure that it has not been damaged on the previous trip.

(5) Each container must be reinspected and retested once every two and one-half years in accordance with § 180.352(b) as prescribed for UN31A intermediate bulk containers except that hydrostatic testing at a minimum pressure of 10 psig must be conducted instead of leakproofness testing.

c. OPERATIONAL CONTROLS -

(1) Class 3 liquids having a vapor pressure greater than 16 psia at 130°F are not authorized.

(2) Class 8 liquids may only be corrosive to skin only and must be compatible with the tank and its appurtenances.

(3) Sight glass valves must be closed during transportation.

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(4) Each container must be filled so as not to be liquid full at less than or equal to 130°F.

(5) Each filling overflow opening on the top of the tank must connect to a 2" overflow line equipped with a shut-off valve, which must be closed during transportation.

(6) Containers are only authorized when manifolded together within a frame. The number of containers manifolded within a group may not exceed six. Each container may not exceed sixty (60) gallons in capacity.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modification or change is made to the package and it is offered for transportation in conformance with this special permit and the HMR.

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

d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

e. A current copy of this special permit must be maintained at each facility where the package is manufactured under this special permit. It must be made available to a DOT representative upon request.

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- f. MARKING - Each manifolded unit must be plainly marked on both sides near the middle, in letters at least 2 inches high on a contrasting background, "DOT-SP 13027". In addition, marking and placarding requirements specified for cargo tanks in 49 CFR Part 172, Subparts D and F must be met.
- g. The prototype test on this tank design, as required by § 178.801(d) and paragraph 7 of this special permit, will serve to qualify smaller tanks made of the same material and thickness, by the same fabrication technique, and with identical supports and equivalent closures and other appurtenances. A drawing showing the arrangement of the smaller tanks must be on file with OHMSPA prior to the first shipment.
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, 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.

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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 Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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: BMoore