

October 2, 2006



U.S. Department  
of Transportation

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

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 13976  
(THIRD REVISION)

EXPIRATION DATE: August 31, 2010

1. GRANTEE: Osrose Utilities Services, Inc.  
Buffalo, NY
  
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of certain UN Standard combination packages which contain limited quantities of a wood preserver (MITC-FUME) containing Methyl isothiocyanate, a Division 6.1, Packing Group I, Hazard Zone B material, in utility vehicles that are not placarded. 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 § 172.504(a) in that the placarding requirement for a 6.1, Packing Group I, Hazard Zone B material is waived.

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5. BASIS: This special permit is based on the application of Osmose Utilities Services, Inc., dated September 22, 2006, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Methyl isothiocyanate	6.1	UN2477	I

7. SAFETY CONTROL MEASURES:

PACKAGING -

a. The combination package consists of a 1-liter, plastic coated, clear glass bottle with a Teflon-lined plastic screw cap, absorbent material, inside a one gallon, lined metal paint can and lid, ring lock and UN-marked fiberboard box (4G/x6.5/S/00/USA/+AB1170). The combination package holds not more than six of the inner packagings listed below.

b. An uncapped aluminum tube with less than 30 grams of MITC-FUME as described on DOT-SP 9168.

c. The packages are marked and labeled in accordance with 49 CFR Part 172.

d. The vehicles transporting the material covered by this special permit must be owned and/or leased and operated by Osmose Utilities Services or by a local utility company.

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.

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- b. Packagings permanently marked 'DOT-E 13976', 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 13976'.
- c. Shipping papers displaying 'DOT-E 13976' 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.

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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, 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](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