

November 8, 2005



U.S. Department
of Transportation

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

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 11173
(ELEVENTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain hazardous materials in non-DOT specification stainless steel cylinders conforming, in part, with the specifications for a DOT 4BW cylinder. 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 §§ 172.101, column (9b), 173.201, 173.226, 173.227, 178.35(f)(1)(i), 178.61(b), 178.61(d)(2) and 178.61(g). The quantity limitations for cargo aircraft are waived when using containers meeting the requirements of this special permit, except as specified here.
5. BASIS: This special permit is based on the application of Arch Chemicals, Inc. dated December 22, 2003, 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
Dimethylhydrazine, unsymmetrical	6.1	UN1163	I Hazard Zone B
Hydrazine, anhydrous or Hydrazine aqueous solution with more than 64 percent hydrazine, by mass	8	UN2029	I
Methylhydrazine	6.1	UN1244	I Hazard Zone A
Toxic liquids, flammable, organic, n.o.s. (Corrosive) (50% Anhydrous hydrazine and 50% unsymmetrical dimethylhydrazine)	6.1	UN2929	I Hazard Zone B

Cylinders which contain a low-pressure helium charge and hydrazine, classed and described as "Compressed gas, toxic, flammable, n.o.s. (hydrazine and helium), inhalation Hazard Zone C, Class 2.3, UN1953" and marked and labeled as such may be shipped under this special permit under the same terms and conditions that otherwise apply when the cylinders contain only anhydrous hydrazine.

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification steel cylinder conforming with DOT Specification 4BW (§§ 178.35 and 178.61), except as follows:

§ 178.61(b) *Authorized steel.* The material of construction must be ASTM A240 Type 304L or Type 316L stainless steel.

§ 178.61(d)(2) *Circumferential seams.* Joint must allow a 100% penetration butt weld with or without metal back-up, with full radiographic examination.

§ 178.61(g) *Heat Treatment.* The cylinders need not be heat treated.

§ 178.35(f) *Markings.*

Applies except each cylinder must be marked "DOT-SP 11173" in lieu of "DOT 4BW".

b. TESTING - Cylinders must be retested in accordance with the requirements of § 180.209 applicable to the DOT 4BW cylinder.

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. Packagings permanently marked 'DOT-E 11173', prior to November 1, 2006 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 November 1, 2006 must be marked 'DOT-SP 11173'.

d. Shipping papers displaying 'DOT-E 11173' may continue to be used until November 1, 2006, provided the special permit remains valid.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel and cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or aircraft used to transport packages covered by this special permit. The shipper must furnish a current copy of this special permit to the air carrier before or at the time the shipment is tendered.

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.

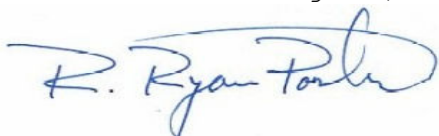
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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 exemption 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 exemption 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 exemption.

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 Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: KFW/am