

February 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 11761
(FOURTEENTH 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 DOT specification and AAR specification tank cars, containing a residue of Class 8 materials, that have been inspected prior to offering under a modified inspection program. 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.203(a) and 172.302(c) in that marking the special permit number on the shipping papers and tank cars is waived; and 173.31(d)(1)(vi) in that an inspection of the pressure relief device is required, except as provided herein.
5. BASIS: This special permit is based on the Pipeline and Hazardous Materials Safety Administration's (PHMSA) editorial review under § 107.121 initiated on December 4, 2008.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Ammonia solutions <i>relative density between 0.880 and 0.957 at 15 degrees C in water, with more than 10% but not more than 35% ammonia</i>	8	UN2672	III
Caustic alkali liquids, n.o.s.	8	UN1719	II, III
Ferric chloride, solution	8	UN2582	III
Ferrous chloride, solution	8	NA1760	II
Fluorosilicic acid	8	UN1778	II
Hydrochloric acid	8	UN1789	II
Phosphoric acid	8	UN1805	III
Potassium hydroxide, solution	8	UN1814	II
Propionic acid	8	UN1848	III
Sodium hydrosulfide	8	UN2949	II
Sodium hydrosulfide, solution	8	NA2922	II
Sodium hydroxide, solution	8	UN1824	II
Sulfuric acid <i>with more than 51 percent acid</i>	8	UN1830	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT and AAR specification tank cars authorized by the Hazardous Materials Regulations for use in the shipment of the hazardous materials identified in paragraph 6 above.

b. MARKING - The marking requirements of §§ 172.203(a) and 172.302(c) are waived.

c. RETESTING - Each tank car operating under the terms of this special permit must be retested in accordance with the regulations specified in § 180.509 no later than the due date of their next hydrostatic tank test.

d. OPERATIONAL CONTROLS -

(1) Tank cars operating under the terms of this special permit must contain residue at no more than 3 percent of the total volume.

(2) Prior to offering, the shipper must conduct the visual inspection of each car in accordance with § 173.31(d)(1)(vi) except that the frangible disk is not required to be removed for inspection. All other applicable requirements of § 173.31 must be complied with.

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 or its contents 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.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS:

a. A copy of this special permit or special permit authorization letter is not required to accompany the package or shipment.

b. This special permit poses no additional modal requirements.

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 Material Safety Administration, U.S. Department of Transportation, 400 Seventh Street, SW, 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: FRA/AM