

December 8, 2006



U.S. Department  
of Transportation

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

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 11941  
(EIGHTH 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 Class 105 tank cars containing Chlorine, tested using an alternative testing protocol. All tank cars must be converted from the alternative testing protocol specified in this special permit to the qualification procedures of § 180.509 no later than December 31, 2008. 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. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 179.7, 180.505, and 180.509(1) in that the compliance date was postponed until December 31, 2000, except as specified herein.

5. BASIS: This special permit is based on Occidental Chemical Corporation's application of May 3, 2005, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Proper Shipping Name/ Hazardous Materials Description</b>	<b>Hazard Class/ Division</b>	<b>Identi- fication Number</b>	<b>Packing Group</b>
Chlorine	2.3	UN1017	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings authorized are DOT Class 105 tank cars operated by an special permit holder (owned or leased). Cars not owned by special permit holders may be retested under the terms of this special permit only after receipt of permission from the car owner.

b. OPERATIONAL CONTROLS - After each time the manway cover has been removed, exposing the tank interior to atmospheric air, and prior to loading product into the tank car, dry air to a dew point of -40°F must be applied to the car.

c. TEST AND INSPECTION - Each tank car operating under the terms of this special permit must be tested and inspected using the following alternative protocol. All of the following tests must be performed at the time of the initial testing under the special permit.

d. Tank car facilities must have a quality assurance program conforming to §§ 179.7 and 180.505; however, AAR approval is not required. All non-destructive examinations of the tank must be done by personnel qualified and certified in accordance with a qualified written procedure. Non-destructive examination personnel must be certified in accordance with a nationally recognized standard, such as ASTM SNT-TC-1A or Appendix T of the Association of American Railroads' Specifications for Tank Cars.

TEST/INSPECTION	REQUIREMENTS (49 CFR)	ACCEPTABLE RESULTS (49 CFR)	TEST INTERVAL (YEARS)
Hydrostatic pressure test	179.100-18(a)	179.100-18(a)	10
Safety system inspections	180.509(h)	180.511(d)	10
Internal visual inspection	180.509(d)	180.511(a)	5
Thickness test	180.509(f)	180.511(c)	5

8. SPECIAL PROVISIONS:

a. Beginning on December 31, 2000, tank cars operating under the terms of this special permit must be qualified in accordance with § 180.509 at a rate such that 50 percent are qualified no later than December 31, 2004, and the remaining cars are qualified no later than December 31, 2008.

b. No later than October 1 of each year that this special permit remains in effect, each holder of this special permit must furnish a written report to the address below, indicating the total number of tank cars inspected under the terms of this special permit.

Federal Railroad Administration  
Hazardous Materials Division  
RRS-12, Mail Stop 25  
1120 Vermont Avenue, N.W.  
Washington, D.C. 20590  
Attn: William Schoonover

c. MARKING: Each tank car must be marked "DOT-SP 11941" in letters and numerals at least four inches high on a contrasting background above the DOT Specification marking. Each tank car must be marked with the inspection and test due date (calendar year only) in accordance with Appendix C of the AAR Tank Car Manual.

d. The shipping paper entry requirements of § 172.203(a) are waived.

- e. Packagings permanently marked 'DOT-E 11941', 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 11941'.
9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.
10. MODAL REQUIREMENTS: None as a requirement of 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 the 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, 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: FRA/sln