

December 21, 2005



U.S. Department  
of Transportation

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

**Pipeline and  
Hazardous Materials  
Safety Administration**

DOT-SP 11970  
(NINTH 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 pyrophoric solids in a non-DOT specification portable tank comparable to a DOT Specification 51 portable tank, except as specified herein. 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 § 173.242 in that a non-DOT specification portable tank is not authorized, except as specified herein.
5. BASIS: This special permit is based on the applications of ExxonMobil Chemical Company dated January 26, 2005, submitted in accordance with § 107.105 and the public proceeding thereon and June 27, 2005 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Material Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Organometallic substance, solid, pyrophoric, water-reactive	4.2	UN3393	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a non-DOT specification steel portable tank conforming to the configuration and typical dimensions shown on Buckeye Boiler Drawing No. 83-0110 Rev. 3 dated February 1994, or Jett Weld, Inc. Drawing # 6818-33306 A-Q, Rev 0, dated 10/4/2002, on file with the Office of Hazardous Materials Special Permits and Approvals. Each tank conforms to DOT Specification 51 (§ 178.245) except as follows:

(1) § 178.245-1(c). The tank has a bottom discharge fitted with a ball valve in addition to an opening on the top of the tank.

(2) § 178.245-1(d)(4). The portable tank is not mounted in a full framework for containerized transport and the bottom discharge is not fitted with an internal self-closing stop-valve.

(3) § 178.245-7(a). The line on the name plate which reads "DOT specification No." must be marked "DOT-E 11970".

Additionally, each portable tank must conform to the following design criteria:

- Minimum wall thickness: 6.35 mm.
- Maximum allowable working pressure (MAWP) range: 110 to 250 psig.
- Maximum capacity: 2047 liters (540 gallons).
- Tare mass: 1360 kgs or less.

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- Spring loaded pressure relief valve (PRV) setting:  
Set at MAWP.
- Maximum loading or discharge pressure: 35 psig less than the PRV setting.
- Shape: cone-shaped funnel bottom with a ball valve.

No new construction of portable tanks is authorized under this special permit.

b. TESTING - Each portable tank must be tested and retested and requalified as required for a DOT Specification 51 portable tank. The minimum test pressure must be 1.5 times the MAWP.

c. OPERATIONAL CONTROLS -

(1) The 1" bottom ball valve must be plugged and protected from side impact during transportation.

(2) A dry nitrogen blanket of no more than 25 psig must be provided for transportation of pyrophoric solid material.

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 modification or change is 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.

c. Packagings permanently marked 'DOT-E 11970', 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 11970'.

d. Shipping papers displaying 'DOT-E 11970' may continue to be used until October 1, 2007, provided the special permit remains valid.

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9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or 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.

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 B Immediate notice of certain hazardous materials incidents, and 171.16 B Detailed hazardous

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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.

A handwritten signature in blue ink, appearing to read "R. Ryan Torler". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

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 on the internet 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: PTOLSON/AM