

June 6, 2006



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 10803
(NINTH REVISION)

EXPIRATION DATE: May 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Thermo King Corporation
Minneapolis, MN
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the manufacture, mark and sale of temperature controlled equipment (Safetec Heater System and ST-II) for use in motor vehicles engaged in the transportation of materials described in paragraph 6, subject to the limitations and special requirements herein. This special permit provides no relief from any Hazardous Materials Regulation 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 § 172.203(a) in that marking the special permit number on the shipping paper is waived, and § 177.834(1)(2)(i).
5. BASIS: This special permit is based on the application of Thermo King Corporation dated May 31 2006, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description - - proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Specific or generic name, as appropriate	3	as appropriate	as appropriate
Specific or generic name, as appropriate	2.1	as appropriate	n/a

7. SAFETY CONTROL MEASURES:

a. Materials in the classes identified above, properly packaged, may be shipped by highway vehicles equipped with propane-operated heating equipment described in Westinghouse's applications dated May 11, 1995 and January 27, 1997. Any electrical equipment in the lading space must be of non-sparking or explosion proof type. There must be no combustion equipment in the lading space, and no arrangement for return of air from the lading space to any combustion equipment. The heating system (including a required thermostatically controlled blower and radiator) must be such that no part of the lading will be heated to over 130°F. and must conform to § 393.77.

b. The heating units and the component parts must be as shown in SAFETEC operating manual title "SAFETEC Heater, Model ST28-10" or in the drawings submitted in the January 27, 1997 application, both of which are on file in the Office of Special Permits and Approvals (OHMSPA). Each heater unit and its fuel supply must be externally mounted on truck or trailer, must retain combustion in a sealed combustion chamber, must utilize outside air for combustion (air from the cargo space cannot be used for combustion) and gases from combustion must be exhausted to the outside of truck or trailer.

8. SPECIAL PROVISIONS.

a. Offerors for transportation of hazardous materials specified in this special permit may use the SAFETEC and the ST-II systems described in this special permit for the transportation of such hazardous materials so long as no

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modifications or changes are made to the systems, all terms of this special permit are complied with, and a copy of the current special permit is maintained at each facility from which such offering occurs.

b. Each SAFETEC and ST-II system must be plainly and durable marked "DOT-SP 10803", however, the shipping paper notation required by § 172.203(a) is waived.

c. Each SAFETEC and ST-II System manufactured under the authority of this special permit must be marked with the THERMO KING 10-digit serial number which includes the product code, plant code and date code of manufacture in addition to the sequential unit number. This information will be on a metal tag attached to the unit with a decal marked with DOT-SP 10803 and THERMO KING CORP MINNEAPOLIS, MN.

d. A current copy of this special permit must be maintained at each manufacturing facility at which the SAFETEC and ST-II systems are manufactured and must be made available to a DOT representative upon request.

e. Packagings permanently marked 'DOT-E 10803', 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 10803'.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle equipped with the SAFETEC heating system or the ST-II when transporting the above classed hazardous materials under the provisions 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.

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- 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.

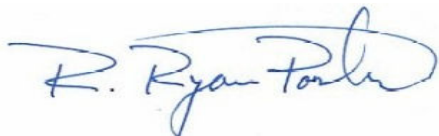
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training by §§ 172.700 through 172.704.

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

PO: sln