April 7, 2009

U.S. Department
of Transportation

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 10880
(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 ammonium nitrate-fuel oil mixture (ANFO), Division 1.5, in reusable, flexible Intermediate Bulk Containers (FIBC) type UN 13H3 or UN 13H4 conforming to Subpart N and O of Part 178 with replaceable liners and top and bottom outlets on the same motor vehicle with certain other Class 1 explosive materials which are overpacked in separate IME SLP 22 containers or compartments. 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 transport 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 § 172.101 Table, Column (8C) for NA0331 in that bulk packaging is not authorized except as specified herein; § 173.35(b) in that reuse of the outer FIBC is limited as specified herein; and § 177.848(g)(3) in that Compatibility Group B detonators many not be carried on the same motor vehicle as Compatibility Group D explosives except as specified 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):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Boosters	1.1D	UN0042	II
Cord, detonating, flexible	1.1D	UN0065	II
Cord, detonating, flexible	1.4D	UN0289	II
Explosive, blasting, type B or Agent blasting, Type B	1.5D	UN0331	II
Explosive, blasting, type E or Agent blasting, Type E	1.5D	UN0332	II
Explosive, blasting, type E	1.1D	UN0241	II
Detonator assemblies, non-electric	1.4B	UN0361	II
Articles, explosive, n.o.s. (shock tubing containing HMX and aluminum powder)	1.4S	UN0349	II
Ammonium nitrate-fuel oil mixture	1.5D	NA0331	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING –

(1) The bulk ammonium nitrate-fuel oil mixture must be packaged in UN13H3 or UN13H4 collapsible, flexible, polypropylene bulk bag containers with a non-reusable liner. The bag is fabricated of woven polypropylene, incorporating four lifting straps, a disposable

interior liner, and having a total bag capacity not exceeding 1000 kg. Replacement interior liners used for each reused FIBC must be identical to those liners used in the design qualification testing in paragraph 7.b. Each bag, prepared as for shipment, must be capable of satisfactorily withstanding the design type tests specified in paragraph 7.b. Test results are on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA).

(2) The Division 1.1D, 1.4D and 1.5D non-bulk explosives must be packaged as prescribed in the § 173.62(c) Table according to their UN number and overpacked in an IME Safety Library Publication 22 (IME 22) container or compartment. No FIBCs containing the bulk ammonium nitrate-fuel oil mixture shall be placed directly against the outside doors of any IME 22 containers or compartments or directly on top of any IME 22 containers or compartments.

(3) The Division 1.4B and 1.4S non-electric detonator assemblies and explosive articles must be packaged according to § 173.63(f) or (g) and placed in a separate IME 22 container or compartment having no common wall with the IME 22 container or compartment containing the Division 1.1D, 1.4D or 1.5D non-bulk explosives. No FIBCs containing the bulk ammonium nitrate-fuel oil mixture shall be placed directly against the outside doors of any IME 22 containers or compartments or directly on top of any IME 22 containers or compartments.

b. TESTING - As a minimum, the following test procedures must be performed:

(1) Top lift test; Tear test; Stacking test; Drop test; Topple test and Righting test as described in Subpart O Part 178.

(2) At least one FIBC must pass these tests at the Packing Group II level. One FIBC may be used for all tests or one FIBC may be used for each test.

c. MARKING - In addition to the marking requirements for FIBCs found in Subpart N of Part 178, each FIBC must be permanently and durably marked in accordance with the requirements of § 172.331 in letters at least two inches high on a contrasting background:

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REUSABLE

The use of labels, tags or signs for marking purposes is prohibited.

d. REUSE - No FIBC marked with the special permit number in paragraph 7.c. above may be used more than six (6) times or more than a year after the date of the first shipment in that FIBC, whichever occurs earlier. Further, no reused FIBC may be filled with a hazardous material until an unused liner has replaced the previously used liner. Total number of uses for each bag must be recorded. When FIBCs have been used for 3 shipments, a sample of at least 3 FIBCs per lot of 50 must be tested according to the full requirements of the standard in paragraph 7.b. above. Upon completion of 6 shipments, another sample of at least 3 FIBCs per lot of 50 must be tested as above. Records must be kept in accordance with paragraph 7.f.

e. INSPECTION - Before reuse, each FIBC must pass an inspection which includes, as a minimum, the following items:

(1) The FIBCs used more than once must be in such condition, including closure devices, that they conform in all respects to the prescribed requirements of this special permit and to § 173.24, as applicable.

(2) The polyethylene liner must be replaced with a new liner prior to reuse.

(3) FIBCs may only be reused to transport the same hazardous material, or a fully compatible similar hazardous material of the same hazard Division, as was present in the bag during its first use in hazardous materials transport.

(4) Prior to filling for reuse, each FIBC must be inspected and judged suitable for reuse. Only FIBCs with no wear or flaws may be reused. The inspection must be of all sides, top and bottom, and all lifting straps and attachments, and must include as a minimum, the following:

(i) General Appearance -- must be free of holes, abrasions, and tears, regardless of size.

(ii) Lifting straps

- Must be free of cuts and abrasions.

- Torn stitching may not exceed 1 inch of the total length of sewing/strap attachment to the FIBC.

NOTE: Possible defect may be indicated by the strap first beginning to peel away from the body at the top of the FIBC.

(iii) Seams – clawing/zippering of stitching may not exceed 1/4".

NOTE: Maximum stress causing stitching to "open up," also referred to as clawing and/or zippering, is approximately 1/3 of the way up the seam from the bottom of the FIBC.

(iv) Markings – All markings must be legible.

(v) Fil1/Discharge Spouts – must be free of tears, with cordlocks intact.

(vi) Ultraviolet (UV) Damage – UV ray damage is indicated by the woven polypropylene becoming stiff and/or cracking. The FIBC must be rejected for reuse if the fabric of the FIBC appears to be less flexible than new fabric or if the FIBC fabric shows signs of cracking.

f. RECORDKEEPING – The total number of uses of each FIBC and dates of shipments must be logged and recorded. A FIBC rejected by the reuse inspection must have reason for rejection and person performing inspection recorded. All results of tests performed on reused bags must be recorded. After the first year of transport experience and data is established and recorded, an annual summary of results including reused bag test reports and rejection reports must be sent to OHMSPA.

g. FIBCs must be loaded and unloaded on pallets and not by lifting loops at the top of each FIBC. No intermediate loading or unloading of FIBCs is allowed. Only shipments from origin to destination are allowed.

8. SPECIAL PROVISIONS:

a. A current copy of this special permit shall be maintained at each facility where the shipment is offered or reoffered for transportation.

b. Drivers must have been instructed as to the necessary safeguards and proper procedures in the event of an unusual delay, fire, explosion or accident involving the hazardous materials covered by this special permit.

c. When Division 1.1D explosive materials are carried together on the same motor vehicle with Division 1.5D ammonium nitrate-fuel oil mixture, the entire motor vehicle or freight container shall be placarded as Division 1.1D.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

b. FIBCs covered under this special permit must be transported by private carriers and in dedicated loads or contract carriers specifically identified to, and acknowledged in writing by the OHMSPA prior to the first shipment and in dedicated loads.

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. Section 5101 et seq:

- All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- 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.
- Registration required by 49 CFR 107.601 et seq., when applicable.

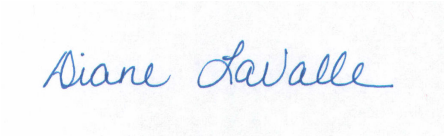
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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: SCW/sln