

January 22, 2016



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 9317
(ELEVENTH REVISION)

EXPIRATION DATE: December 31, 2017

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Blue Cube Operations LLC
Midland, MI
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of a non-flammable gas, subject to the limitations and special requirements specified herein, in non-DOT specification skid mounted portable tanks to be transported on public highway between adjacent company properties. 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.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 in that an alternative shipping description is authorized and § 173.315(a) in that specification packaging is required, except as specified herein.
5. BASIS: This special permit is based on the application of Blue Cube Operations LLC, dated October 30, 2015, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Chlorine (mixture consisting of 50% to 85% chlorine and various chlorinated organic compounds classed as a non-flammable gas -- Waste chlorine)	2.3	UN1017	N/A

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - Prescribed packaging is a non-DOT specification uninsulated skid mounted portable tank with seven top openings and one bottom opening designed, constructed and certified in accordance with Section VIII of the ASME Code and Dow drawing D-17807 or ES-1-5048B014 on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). Each of the four tanks authorized must be made from SA 516-70 steel with 0.50 inch sidewall for a design pressure (MAWP) of 240 psi, water capacity of 750 gallons, and be equipped with pressure relief devices.
- b. TESTING - Each portable tank must be subject to external visual reinspection once each year, external visual inspection accompanied by thickness measurements every 2 years, and retested once every 5 years in accordance with §§ 180.603 and 180.605 as prescribed for DOT 51 portable tanks.

8. SPECIAL PROVISIONS:

- a. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.
- b. Transportation is limited to private carriage on public highway between adjacent company properties.

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- c. MARKING - Each portable tank must be plainly marked on both sides near the middle, in letters at least two inches high on contrasting background, "DOT-SP 9317."
 - d. Transportation is limited to private carriage on public highway between adjacent company properties.
 - e. 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 change are made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.
 - f. 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: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each 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.

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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 Dr. Magdy El-Sibaie
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: dl/kah