

April 8, 2015



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 11440  
(FOURTEENTH REVISION)

**EXPIRATION DATE: November 30, 2017**

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: ALTIVIA Specialty Chemicals, LLC  
(Former Grantee: Axiall LLC)  
Houston, TX
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of certain Division 6.1 materials which are toxic by inhalation in polyethylene drums or composite packagings which are stacked. 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. Party status will not 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 § 172.203(a) in that marking the special permit number on the shipping paper is waived; § 172.301(c) in that marking the special permit number on each package is waived; and § 173.227(c) in that stacking drums within the transport vehicle or freight container is not authorized, except as specified herein.

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5. BASIS: This special permit is based on the application of Axiall LLC, dated November 21, 2013, submitted in accordance with § 107.109, and additional information submitted by ALTIVIA Specialty Chemicals, LLC dated March 26, 2015.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

| <b>Hazardous Materials Description</b> |                               |                              |                      |
|--|-------------------------------|------------------------------|----------------------|
| <b>Proper Shipping Name</b>            | <b>Hazard Class/ Division</b> | <b>Identification Number</b> | <b>Packing Group</b> |
| Ethyl Chloroformate                    | 6.1                           | UN1182                       | I, Hazard Zone B     |
| Trimethylacetyl Chloride               | 6.1                           | UN2438                       | I, Hazard Zone B     |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are as specified in § 173.227 for the materials listed above.

b. OPERATIONAL CONTROLS -

(1) Each drum or composite packaging authorized by this special permit must be transported in a 6.1 meter (20 ft.) steel freight container containing two layers of 36 drums or composite packagings. The freight container must be lined with 6.35mm (0.25 inch) thick plywood on the sides of the container and 12.7mm (0.5 inch) thick plywood on the ends, bottom and between layers of drums. Drums may be placed on plastic or wooden pallets prior to loading into the freight container. If wooden pallets are used there must be a double wall corrugated slipsheet between the deckboards of the pallet and the bottom of the drums. The use of pallets does not eliminate the requirement for plywood between the layers of drums.

(2) In addition, the freight container:

(i) must be loaded and blocked and braced in accordance with drawings submitted March 16, 1995, or January 29, 2001 on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA);

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(ii) must be sealed by ALTIVIA Specialty Chemicals, LLC after loading;

(iii) must be shipped from one origin to one destination without any intermediate pickup or delivery; and

(iv) may not contain any materials other than the material authorized by this special permit.

8. SPECIAL PROVISIONS:

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

b. The marking requirements in §§ 172.203(a) and 172.301(c) are waived.

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 motor vehicle or cargo vessel 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:

a. 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.

b. The Office of Hazardous Materials Special Permits and Approvals must be advised of the causes of the incident and any remedial action taken, as a result of the incident as soon as practical after its occurrence.

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.

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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)

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PO: ae