

October 5, 2006



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 6443
(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 certain MC 331 cargo tanks containing liquefied hydrogen sulfide, classed as Division 2.3 material. 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 §§ 172.101 Table Column 7 Special Provision B9, 173.24b(a), 173.315, and 178.337-8.
5. BASIS: This special permit is based on the application of Montana Sulfur & Chemical Company dated September 27, 2006, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Hydrogen sulfide	2.3	UN1053	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT Specification MC-331 insulated cargo tanks having a design pressure of 500 psig specifically described as follows:

i. Cargo tanks bearing Trinity Industries serial number 373919 having a nominal water capacity of 5100 gallons and built in compliance with Trinity Industries, Inc., Transport Specification Number A-2111 and drawings D-4041, Rev. 0; D-4042, Rev. 0; C-4067, Rev. 0; C-4068, Rev. 0; 105662-4, Rev. 0; D-4038, Rev. 0; C-4039, Rev. 0; and D-4040, Rev. 0. Pads must be installed under the hydrogen probe gauge guard and all of the places where the piping guard attaches to the tank shell. Flange for the relief valve opening should be counterbored for the flexitalic gasket unless the gasket is of such nature that its location is fixed by the bolts. The cargo tank is mounted on trailer with serial number 71051-F, Gorbett Brothers. The cargo tank may be further modified in accordance with drawings specifications submitted with letters dated August 10, 1978 and January 22, 1979 on file with the Office of Hazardous Materials Special Permits and Approval (OHMSPA).

ii. Cargo tank bearing Trinity Serial Number 367396 having a nominal water capacity of 5100 gallons built in compliance with Trinity Industries, Inc. drawings 102332-1, Rev. 2; 102332-2, Rev. 0; 102332-3, Rev. 1; 102332-4, Rev. 0; 102332-5, Rev. 0; 102332-6, Rev. 0; 102332-7, Rev. 0; 102332-8, Rev. 2; 102332-9, Rev. 1; and 102332-11, Rev. 2. The cargo tank may be further modified in accordance with specifications submitted with letters dated August 10, 1978 and January 22, 1979 on file with the OHMSPA.

iii. Cargo tanks bearing Lubbock Manufacturing Company Serial Numbers 57888, 57889, 57890, 58483, 58775, 57976 and 57974 having a nominal water capacity of 5,000 gallons, built in compliance with Lubbock Manufacturing Company's drawings STR-788-A through -A6, dated October or November 1971, or revised as of March 7, 1972 and related vehicle drawings on file with the OHMSPA; STR-968A, -A1, -A2, -A3, -A4, -A5 and -A6, dated April 25, 1973; or STR 818A-Rev. B, -A1-Rev. C, -A2-Rev. C, -A3-Rev. D, -A4-Rev. O, -A5-Rev. O, -A6-Rev. B, -A7-Rev. B, -A8-Rev. A. The tanks are insulated with 4 inch thick polyurethane foam. The requirements pertaining to pads and flange for relief valve opening for cargo tank Trinity 373919, apply equally to these tanks. Cargo tanks may be modified in accordance with specifications submitted with letters dated August 10, 1978 and January 22, 1979 on file with the OHMSPA.

iv. Cargo tanks bearing Trinity serial numbers 360436 and 361456 having a nominal water capacity of 5100 gallons built in compliance with Trinity drawings 73002-1 Rev.1; -2 Rev 3; -3 Rev 1; -4 Rev 0; - 5 Rev. O; -6 Rev 0; -7 Rev 0; -8 Rev 0; -9 Rev 2, -10 Rev 0 and insulated in accordance with drawing H-101-R-1 Rev 1. The cargo tanks may be further modified in accordance with specifications submitted with letters dated August 10, 1978 and January 22, 1979 on file with OHMSPA.

v. Each cargo tank must be insulated with a 4" thick, (3/4 pound per cubic foot density) glass wool blanket or a noncombustible material having equivalent or less thermal conductance. Insulation must be covered with either a steel shell of not less than 3/32 inch nominal thickness or an aluminum shell of not less than 1/8 inch nominal thickness so constructed and sealed that moisture cannot come in contact with the insulation.

b. TESTING - Each cargo tank must be reinspected and retested once every 2 years in accordance with § 180.407 as prescribed for DOT Specification MC-331 cargo tanks at one and one-half times the design pressure.

c. MARKING - Cargo tanks must be placarded "POISON GAS" and "FLAMMABLE GAS" and marked in letters two inches high "INHALATION HAZARD," in association with required placards, as required in §§ 172.313 and 172.540.

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 modifications or changes are made to the package 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. Cargo tanks must be loaded by weight in accordance with § 173.315(c) and must be equipped with safety relief valves in compliance with § 173.315(i). The required relieving capacity of safety relief valves must be based on the heat input to a bare tank. The filling density shall not exceed 72% at 105°F.

d. Two drivers must be assigned to each motor vehicle on each trip. They must be instructed as to safeguards and proper procedures to be followed in the event of fire, accident or unusual delay. Each vehicle must be equipped with at least two self contained breathing apparatus that will provide a combined total of no less than 90 minutes self contained breathing supply. The apparatus must be suitable for use in a hydrogen sulfide environment.

e. Tank motor vehicle may be equipped with a road safety kit containing flaring devices used to ignite the gas in the event of serious leakage. In this connection, the restrictions of § 393.95 are waived.

f. The carrier must comply with requirements of 49 CFR Part 397 as it applies to vehicles transporting Class 1.1 and 1.2 explosives.

g. Packagings permanently marked 'DOT-E 6443', 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 6443'.

- h. Shipping papers displaying 'DOT-E 6443' may continue to be used until October 1, 2007, provided the special permit remains valid.
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.

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 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: DB/sln