

February 21, 2006



U.S. Department
of Transportation

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

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 8453
(THIRTEENTH 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 Division 1.5D and 5.1 materials in DOT specification cargo tanks and certain non-DOT specification cargo tanks and portable tanks prescribed herein. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than 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 § 173.62, § 173.242, § 176.83, § 176.415 and 177.848(d).
5. BASIS. This special permit is based on Orica USA Inc.'s application dated September 7, 2004 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Explosive, blasting, type E or Agent blasting, Type E	1.5D	UN0332	II
Oxidizing liquid, n.o.s.	5.1	UN3139	II

Note: Other Division 1.5D and 5.1 materials may be authorized under this special permit provided they are specifically identified to and acknowledged in writing by the Office of Hazardous Materials Special Permits and Approvals (OHMSPA) prior to the first shipment.

7. SAFETY CONTROL MEASURES:a. PACKAGING - Prescribed packagings are as follows:

(i) DOT Specification MC 306, MC 307, MC 312, DOT 406, DOT 407, or DOT 412 cargo tanks fabricated from austenitic stainless steel.

(ii) Non-DOT specification cargo tanks designed and constructed in accordance with Hercules Incorporated's drawing 099-8010-52047, Rev. 5 (3,000-gallons capacity) or 092-0711-52041, Rev. 2 (2,000 gallon capacity), with Atlas Powder Company drawings RS-41701, RS-41702 and RS-41703 (2,376-gallon capacity) or with Fruehauf Corporation's drawings B-KD 3595 Rev. B, B-KD 3595-1 Rev. C, B-KD 3596, and B-KD 3592-1 Rev. C and calculations and specification B-LY 0455 (Pacco, Inc's serial numbers FRK 369802A, FRK 369802B, FRK 369803A and FRK 369803B), on file with the OHMSPA.

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b. For shipment by cargo vessel, only the following cargo tanks are approved:

(i) DOT specification cargo tanks described in paragraph 7.a.(i).

(ii) Non-DOT specification portable tanks listed below:

<u>Company</u>	<u>Manufacturer</u>	<u>Serial Number</u>
Pacco, Inc	Fruehauf	FRK 369802A
Pacco, Inc	Fruehauf	FRK 369802B
Pacco, Inc	Fruehauf	FRK 369803A
Pacco, Inc	Fruehauf	FRK 369803B

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. Each tank is authorized only for dedicated use and must have a thorough cleaning each time it is used for a different formulation. Each tank must be thoroughly cleaned at least every 6 months.

d. Each cargo tank must be reinspected and retested in accordance with § 180.407. Pneumatic retesting at one and one-half times the design pressure is authorized in place of the required hydrostatic test.

e. Each tank must be plainly marked on the right side near the front, in letters and numerals at least two inches high on a contrasting background, "DOT-SP 8453".

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f. For transportation by cargo vessel, the following will apply:

(i) The tanks must be stowed "on deck only".

(ii) Division 1.5D explosive, blasting, type E materials must be segregated from other hazardous materials in accordance with the requirements for Division 1.1 explosives. In addition, the Explosive, blasting, type E materials must be stowed "separate from" non-regulated readily combustible materials, as defined in § 176.83(d).

(iii) The tanks must be stowed in a readily accessible location which can be reached by at least two streams of water from separate fire hydrants or if carried on an unmanned barge by an effective stream of water from a vessel alongside.

(iv) Before packages covered by this special permit are loaded on or discharged from a vessel at any place in the United States, the carrier must obtain a permit from the Coast Guard Captain of the Port. A copy of this special permit must be provided to the Captain of the Port when requesting a permit.

g. The non-DOT specification portable tanks authorized for shipment by water in paragraph 7.b.(ii) must be retested as required in § 180.407 for DOT Specification MC-306 cargo tanks. The steel frames of these portable tanks must bear an approval plate showing compliance with the rules of the International Convention of Safe Containers or, for domestic transportation only, may bear a plate showing conformance with the rules of another recognized classification society.

h. Packagings permanently marked 'DOT-E 8453', 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 8453'.

i. Shipping papers displaying 'DOT-E 8453' may continue to be used until October 1, 2007, provided the special permit remains valid.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel, or 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. 5105 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 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 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: sln

