

June 1, 2006



U.S. Department
of Transportation

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

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 9228
(SIXTH REVISION)

EXPIRATION DATE: April 30, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Phibro-Tech, Inc.
Ridgefield Park, NJ
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the use of non-DOT specification cargo tanks to transport certain Class 8 and 9 materials, subject to the limitations and special requirements specified herein. 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. 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 §§ 173.241, 173.242, and 173.243 in that the use of non-DOT specification cargo tanks for the materials listed in paragraph 6 below is not authorized, except as specified herein.

5. BASIS: This special permit is based on the application of Phibro-Tech, Inc., dated May 24, 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
Copper chloride, solution	8	UN2802	III
Corrosive liquid, n.o.s.	8	UN1760	I, II, III
Corrosive liquid, acidic, inorganic, n.o.s.	8	UN3264	I, II, III
Corrosive liquid, basic inorganic, n.o.s.	8	UN3266	I, II, III
Environmentally hazardous substance, liquid, n.o.s.	9	UN3082	III
Ferric chloride, solution	8	UN2582	III
Ferrous chloride, solution	8	NA1760	II
Hazardous waste liquid, n.o.s.	9	NA3082	III

7. SAFETY CONTROL MEASURES: Prescribed packagings are four (4) non-DOT specification, ASME Code "U" stamped tanks securely mounted on two (2) trailer chassis. Each tank has a maximum allowable working pressure of 50 psig and a design external pressure of 15 psig. The tanks were manufactured by Downey Welding and Manufacturing Co., Inc. and bear manufacturer's serial numbers 3848, 3849, 4020 and 4021. Tanks with serial numbers 3848, 3849 and 4020 have a capacity of 1,151 gallons and the tank with serial number 4021 has a capacity of 1,535 gallons. Each bottom outlet must be provided with a shear section in accordance with the MC 312 specification of § 178.343-5, 1990 edition. Tanks must be designed and constructed in accordance with Downey Welding and Manufacturing Co., Inc. drawing 17-1106-F, Southern California Chemical Co., Inc. drawings T1 and T2 and

calculations on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). Each cargo tank conforms with the DOT Specification MC 312, except that it is not certified or marked "MC-312". No new construction is authorized.

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 modification or change is made to the package or its contents 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 cargo tank must be reinspected and tested in accordance with § 180.407 as prescribed for DOT Specification MC 312 cargo tanks.

d. Each cargo tank must be plainly marked on the left side near the front, in letters at least two inches high on a contrasting background, "DOT-SP 9228".

e. Packagings permanently marked 'DOT-E 9228', 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 9228'.

f. Shipping papers displaying 'DOT-E 9228' 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 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.:

A handwritten signature in blue ink, appearing to read "R. Ryan Taylor".

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