

October 14, 2005



U.S. Department
of Transportation

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

**Pipeline and
Hazardous
Materials Safety
Administration**

DOT-SP 11296
(TWELFTH 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 waste aerosol cans containing flammable gas propellants, including isobutane and propane, overpacked in a UN1A2 steel drum or a UN1H2 plastic drum for disposal. 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.306 in that leaking or improperly filled aerosol cans are not authorized to be transported and each package may not exceed 66 pounds gross weight, except as specified herein.
5. BASIS: This special permit is based on the application of Ashland Inc. dated August 1, 2005, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identification number	Packing Group
Aerosols, flammable, (each not exceeding 1 liter capacity)	2.1	UN1950	N/A
Compressed gas, flammable, n.o.s.	2.1	UN1954	N/A
Consumer commodity	ORM-D	N/A	N/A

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a UN1A2 or UN1H2 drum used for overpacking leaking or improperly filled aerosol cans for disposal. Capacity of the inside metal aerosol cans may not exceed 1 liter. Each aerosol can must have been charged with a flammable gas for the sole purpose of expelling a material as specified in § 173.306(a)(3) and meet the requirements of §§ 173.306(a)(3)(ii), 173.306(a)(3)(iii), and 173.306(a)(3)(v) at the time of filling.

b. TESTING - Each outer packaging must meet the requirements of 49 CFR Subpart M of Part 178, at the Packing Group II performance level for liquids.

c. Pressure inside the drum, at any time during transportation, may not exceed the design test pressure marked on the drum.

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. MARKING - Outside drums must be marked "INSIDE CONTAINERS COMPLY WITH DOT-SP 11296" on a contrasting background except as specified in paragraph 8.d.

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- d. Packagings permanently marked 'DOT-E 11296', prior to October 1, 2006 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, 2006 must be marked 'DOT-SP 11296'.
- e. Shipping papers displaying 'DOT-E 11296' may continue to be used until October 1, 2006, provided the special permit remains valid.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.
10. MODAL REQUIREMENTS:
- a. A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.
- b. Shipments must be by private or contract carrier only.
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.

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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/AM