

August 9, 2006



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14354

Expiration Date: September 30, 2006

1. GRANTEE: Air Products and Chemicals, Inc.
Allentown, PA
2. PURPOSE AND LIMITATION:
 - a. This emergency special permit authorizes the one-time, one-way transportation in commerce of approximately 24 DOT 3AA-2015 cylinders containing boron trifluoride which are not in conformance with the Hazardous Materials Regulations (HMR). This exemption provides no relief from the 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 § 172.301(c) in that marking the special permit number on the cylinder is waived; § 173.40(b) in that the transportation of a cylinder with pressure in the cylinder at 55°C (131°F) exceeding the service pressure of the cylinder is not authorized except as specified herein, and § 173.301(f)(3) in that the transportation of a cylinder having a pressure relief system with a burst pressure of the pressure relief device not at test pressure with a tolerance of plus zero to minus 10% is not authorized except as specified herein.
5. BASIS: This emergency special permit is based on the application of Air Products and Chemicals, Inc. dated May 22, 2006, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Boron trifluoride	2.3	UN1008	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are approximately 24 DOT-3AA2015 cylinders filled with boron trifluoride. Approximately 12 cylinders are overfilled and will have a pressure of 2385 psig at 55°C (131°F) which exceed the marked service pressure of the cylinder and approximately 12 cylinders have a pressure relief device rated at 3775 psig which exceeds the cylinders test pressure.

b. OPERATIONAL CONTROLS -

(1) Transportation must be by private or contract carrier in exclusive use of Air Products and Chemicals, Inc. (APCI).

(2) One-time, one-way transportation is authorized from the APCI facility in Tamaqua, PA to the Honeywell facility in Marcus Hook, PA. No intermediate stops are authorized.

(3) No other materials may be transported on the motor vehicle with the hazardous materials covered 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 of § 172.301(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.

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10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard 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

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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 Material Safety Administration, U.S. Department of Transportation, 400 Seventh Street, SW, 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: CHHochman/kah