

August 8, 2008



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14656
(SECOND REVISION)

EXPIRATION DATE: April 30, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: PurePak Technology Corporation
Chandler, AZ
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of nitric acid of up to 70% concentration in an alternative packaging configuration. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. No party status will 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 § 173.158(f)(3) in that the primary receptacles must be individually overpacked in tightly closed metal packagings, except as provided herein.
5. BASIS: This special permit is based on the application of PurePak Technology Corporation dated June 30, 2008, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Nitric acid <i>other than red fuming, with not more than 70 percent nitric acid</i>	8	UN2031	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging consists of a doublewall fiberboard box with up to six (6) inner plastic square bottles of up to 2.5 liter capacity as described in gh Package & Product Testing and Consulting of Arizona, Inc. test report File #U-4220-07, on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA).

(i) Each inner plastic bottle must be blow-molded using PurePak Technology Corp PPQ Resin as described in the application on file with OHMSPA.

(ii) The inner bottles must be closed using tamper evident, 45 mm red ribbed threaded caps as described in the above listed test report.

(iii) The outer packaging may be closed by either method described in the above listed test report.

(iv) There may be no void space in the package.

(v) As authorized in § 178.601(g)(4) (selective testing - Variation 4), the outer fiberboard box length and/or width may be reduced for a lesser quantity of inner packagings provided that all the conditions specified in § 178.601(g)(4) are met.

b. OPERATIONAL CONTROLS - This special permit authorizes the shipment of the hazardous materials in the prescribed packagings without being overpacked in tightly closed metal packagings.

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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. Marking: Each package must be plainly and durably marked "DOT-SP 14656" as required by § 172.301(c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle, Cargo Vessel, Rail Freight.

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. 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.

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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 Theodore L. Willke
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, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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: MOOREBE