November 2, 2011

U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

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

DOT-SP 10597
(THIRTEENTH REVISION)

EXPIRATION DATE: June 30, 2015

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Thermo King Corporation
Minneapolis, MN

2. PURPOSE AND LIMITATIONS:

a. This special permit authorizes the manufacture, marking and sale of the temperature controlled equipment (Heat King) as described in Paragraph 7 below for use in motor vehicles engaged in the transportation in commerce of Class 3 liquids or Division 2.1 gases described in paragraph 6 below subject to the limitations and special requirements specified herein. This special permit provides no relief from the Hazardous Materials Regulations other than as specifically stated herein. The most recent revision supersedes all previous revisions.

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 § 177.834(l)(2)(i) in that a cargo heater may be used and § 172.203(a), in that marking the special permit number on shipping papers is waived.

5. BASIS: This special permit is based on the application of

Thermo King Corporation dated June 12, 2011, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description - - proper shipping name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Materials classed as flammable liquids.	3	Various	I, II or III
Materials classed as flammable gases.	2.1	Various	N/A

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Materials in the classes identified above, properly packaged, may be shipped by highway vehicles equipped with the diesel-operated heating equipment described herein. The heating unit and the component parts must be as shown in Thermo King's Heat King technical bulletins which were submitted with the application. Six Heat King units are authorized (HK), (HKII), (HKIII), (HK400), (HK430), and (HK430HO). Technical bulletins that apply to these six units are numbered TK 9204-2 (8-88), TK 30261 (9/93), TK 50101 (4/03), and TK 53591 (10/06), TK 55203, and TK 55186, respectively.

b. OPERATIONAL CONTROLS - Any electrical equipment in the lading space must be of non-sparking or explosion proof type. There must be no combustion equipment in the lading space, and no arrangement for return of air from the lading space to any combustion equipment. The heating system (including a required thermostatically controlled blower and radiator) must be such that no part of the lading will be heated to over 130°F. and must conform to 49 CFR 393.77. The heater unit and its fuel supply must be externally mounted on truck or trailer, must retain combustion in a sealed combustion chamber, must utilize outside air for combustion (air from the cargo space cannot be used for combustion) and gases from combustion must be exhausted to the outside of truck or trailer.

c. MARKING -

(1) Each Heat King System must be plainly and durably marked "DOT-SP 10597".

(2) Each Heat King System manufactured under the authority of this special permit must be marked with the THERMO KING 10-digit serial number which includes the product code, plant code and date code of manufacture in addition to the sequential unit number. This information will be on a metal tag attached to the unit with a decal marked with DOT-SP 10597 and THERMO KING CORP, MINNEAPOLIS, MN.

8. SPECIAL PROVISIONS:

a. Offerors for transportation of the hazardous materials specified in this special permit may use Thermo King's Heat King System described in this special permit for the transportation of such hazardous materials so long as no modifications or changes are made to the packages, all terms of this special permit are complied with, and a copy of the current special permit is maintained at each facility from which such offering occurs.

b. A current copy of this special permit must be maintained at each manufacturing facility at which this packaging is manufactured and must be made available to a DOT representative upon request.

c. Shippers using the packaging covered by this special permit must comply with all provisions of this special permit, and all other applicable requirements contained in 49 CFR Parts 171-180.

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:

    - All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

    - 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.

    - 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 notices 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 Dr. Magdy El-Sibaie
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: Benjamin Moore