March 22, 2010

U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

DOT-SP 13546
(THIRD REVISION)

EXPIRATION DATE: February 28, 2014

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Nease Corporation
Harrison, OH

2. PURPOSE AND LIMITATION:

a. This special permit authorizes the transportation in commerce of certain hazardous materials specified in Paragraph 6 along a public road of not more than 50 yards without shipping papers, marking, labeling, and emergency response information on the transport vehicle. This special permit provides no relief from the Hazardous Materials Regulations (HMR) 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. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not 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 Part 172, Subparts C, D, and E; § 172.602(c)(1); § 172.604(a)(3); § 177.817; § 177.823(a) as it pertains to marking only.

5. BASIS: This special permit is based on the application of Nease Corporation dated February 1, 2010, 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**
As appropriate	3, 8, & 9	As appro- priate	As appro- priate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging must be as follows:

(1) The hazardous materials including wastes must be packaged as required by the HMR.

(2) Non-bulk packages containing the hazardous materials specified in Paragraph 6 must not exceed 55 gallon capacity for steel drums.

(3) Bulk packages must not exceed the capacities of 6,500 gallons for cargo tanks and 275 gallons for polyethylene totes.

(4) A descriptive name of the materials must be affixed to the outside of each non-bulk package.

(5) Bulk packages must be marked with the identification number as required by § 172.331.

(6) In lieu of shipping papers, the vehicle operator must posses an internal tracking document that describes the general types of hazardous material being transported.

b. OPERATIONAL CONTROLS -

(1) This special permit authorizes the transport of packages containing hazardous materials from the "production and office" to "warehouse" areas via a public road (Paddy's Run Road) in Harrison, Ohio by the most direct route not more than 50 yards in one-way driving distance.

(2) Packages must be prepared, packed, loaded, unloaded and transported by trained employees of Nease Corporation.

(3) Non-bulk packages may be transported using forklifts (a maximum of two at a time) loaded with pallets with not more than four drums per pallet.

(4) The vehicle operator must have the ability to contact the company emergency response team in the event of an emergency, e.g., by telephone, radio, etc.

(5) Employees familiar with emergency response must be available all times during transportation under this special permit.

8. SPECIAL PROVISIONS: A current copy of this special permit must be maintained at each facility where the package is offered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. Only company-owned or company-controlled private motor vehicles are authorized. No common carriers may be used.

b. 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 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 Dr. Magdy El-Sibaie
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: STH/sln