

September 16, 2010



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 14980
(FIRST REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the one-way transportation in commerce of liquefied petroleum gas (LPG) in certain non-DOT specification storage tanks by private carrier motor 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 the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.315(j)(4) in that the transportation of storage containers containing LPG charged to more than 5 percent of their water capacity is not authorized except as specified herein; and the marking requirement in § 172.302(c) is waived.
5. BASIS: This special permit is based on the application on behalf of Boehlke Bottle Gas Corp. dated February 2, 2010, and additional information dated April 30, 2010 and July 21, 2010, submitted in accordance with § 107.105 and the public proceeding thereon and additional information dated September 16, 2010.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Petroleum gases, liquefied or Liquefied petroleum gas	2.1	UN1075	N/A
Propane	2.1	UN1978	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are non-DOT specification storage containers for liquefied petroleum gas, designed for permanent installation on a consumer premises. Each container must conform to the following description:

- (1) be ASME Code "U" stamped; and
- (2) have a water capacity not exceeding 500 gallons.

b. OPERATIONAL CONTROLS -

- (1) Maximum permitted filling density must not exceed that specified in § 173.315(b).
- (2) Non-DOT specification storage containers must be transported using an overhead support transportation system designed and manufactured by Fisk Tank Carrier, Inc. and operated in accordance with the documents on file with Office of Hazardous Materials Special Permits and Approvals (OHMSPA).
- (3) Prior to loading the container in the overhead supported transportation system, a trained and qualified person must inspect and record each container for leaks, corroded or abraded areas, dents, distortion, defects in welds and any other condition that might render it unsafe for transportation. The record of this inspection must be legibly signed and dated by the person performing the inspection. The

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signature on the inspection record represents a certification that the container has been inspected and has no defects that would render it unsafe for transportation under this special permit. The inspection record must be maintained by the grantee for two years and contain at least the following information for each tank:

- (i) Container serial number;
- (ii) Container size - water capacity;
- (iii) Estimated quantity of propane in the container;
- (iv) Container disposition (dents, rust, etc.); and
- (v) Origin and destination of shipment.

(4) Only one storage container at a time may be transported in an overhead supported transportation system.

(5) Containers must be lifted by the straps, which must be completely wrapped around the container. Lifting lugs may not be used to move the container.

(6) Straps must be rated to the weight specifications on file with the OHMSPA; must be sufficient to accommodate the container and lading while in the transport position and/or during transportation. The straps must be visually inspected prior to each use. Any strap(s) showing tears, fraying, or other signs of excessive wear may not be used.

(7) The container must be pulled firmly against the four sets of bumpers on top of the overhead support transportation system when in the transport position to prevent movement during transportation. Storage container supporting legs must not have any weight placed on them during transportation.

(8) The safety straps must be rated to the weight specifications on file with the OHMSPA; must be applied when the tank is in the transport position and/or during transportation. Any safety strap(s) showing tears, fraying, or other signs of excessive wear may not be used.

(9) Bracing of the storage container must conform with the requirements of § 173.315(j)(3) and § 177.834(a).

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(10) Each container transported under this special permit must be loaded and secured in the overhead support transportation system such that the tank is completely within the envelope of the system and does not extend beyond the overhead support transportation system frame. The tank must be protected by the rear end bumper while in the transport position and/or transportation.

(11) The overhead supported transportation systems used for carriage of tanks covered by this special permit must provide rear end protection for the tank that meets 49 CFR § 393.86. The rear end protections must be designed and manufactured to the specifications on file with the OHMSPA.

8. SPECIAL PROVISIONS:

a. Only private carriers are authorized under this special permit.

b. Only one-way transportation is authorized, from the consumer premises to the tank owner's nearest bulk plant facility.

c. The marking requirement in § 172.302(c) is waived.

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:

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.

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- 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 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.

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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: LAVALLE/sln