

November 9, 2010



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 12037
(FOURTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the use and reuse of UN13H3 or UN13H4 flexible intermediate bulk containers with replaceable liners having a capacity of approximately 2,200 and 4,400 pounds for the transportation in commerce of calcium carbide. 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.
 - 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 § 172.102, Column 7 Special Provision IB7 in that flexible intermediate bulk containers are not authorized, except as specified herein.
5. BASIS: This special permit is based on the Pipeline and Hazardous Materials Safety Administration's (PHMSA) editorial review under § 107.121 initiated on August 27, 2010.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description - - proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Calcium carbide	4.3	UN 1402	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a UN13H3 or UN13H4 flexible intermediate bulk container (FIBC), with a non-reusable, removable polyethylene liner. The FIBCs have capacities of approximately 2200 and 4400 pounds and have been tested to the PGI level.

b. OPERATIONAL CONTROLS:

(1) REUSE - No FIBC marked with the special permit number as specified in paragraph 8.c. may be used more than three times. The total number of uses for each bag must be recorded. Records must be kept in accordance with paragraph 7.(b).(3).

(2) INSPECTION - Before reuse, the polyethylene liner must be replaced and each bag must pass an inspection which includes, as a minimum, the items which follow:

(i) The bags used more than once must be in such condition, including closure devices, that they conform in all respects to the prescribed requirements of this special permit and to § 173.24, as applicable.

(ii) Prior to filling for reuse, each bag must be visually inspected in accordance with the requirements of § 180.352(c). Additionally, each bag must be inspected and judged suitable for reuse. Only bags with no wear or flaws may be reused. The inspection must be of all sides, top and bottom, and all lifting straps and attachments, and must include as a minimum, the following:

A. General Appearance - must be free of holes, abrasions, and tears, regardless of size.

B. Lifting straps

- Must be free of cuts and abrasions.
- Torn stitching must not exceed 1 inch of the total length of sewing/strap attachment to the FIBC.

NOTE: Possible defect may be indicated by the strap first beginning to peel away from the body at the top of the FIBC.

C. Seams - clawing/zippering of stitching must not exceed 1/4".

NOTE: Maximum stress causing stitching to "open up," also referred to as clawing and/or zippering, occurs approximately 1/3 of the way up the seam from the bottom of the FIBC.

D. Fill/Discharge Spouts - must be free of tears, with cordlocks intact.

E. UV Damage - Ultraviolet ray damage is indicated by the woven polypropylene becoming stiff and/or cracking. The FIBC must be rejected for reuse if the fabric of the FIBC appears to be less flexible than new fabric or if the FIBC fabric shows signs of cracking.

(3) RECORDKEEPING - The total number of uses of each bag and dates of shipments must be logged and recorded. A bag rejected by the reuse inspection must have the reason for rejection and person performing inspection recorded. After each bag has been reused over a two-year period or has completed three shipments, a summary of the transport experience and data, including reused bag and rejection reports, must be sent to Office of Hazardous Materials Special Permits and Approvals.

(4) Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.

(5) Shipment must be in truckload or rail carload lots only.

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 modifications or changes are 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 bag must be permanently and durably marked in accordance with requirements of § 172.331 with letters at least two inches high on a contrasting background. Each bag must also be marked:

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REUSABLE

in the same manner as described above. The use of labels, tags or signs for marking purposes is prohibited.

d. Packagings permanently marked "DOT-E 12037", prior to October 1, 2007 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packagings marked on or after October 1, 2007 must be marked "DOT-SP 12037".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.

10. MODAL REQUIREMENT: 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.
 - 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 the 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 -- OHMSPA, in writing, of any

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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: BEMOORE