

April 28, 2017



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 20222  
(FIRST REVISION)

**EXPIRATION DATE: 2019-02-28**

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Trinity Containers, LLC  
Dallas, TX
2. PURPOSE AND LIMITATIONS:
  - a. This special permit authorizes the transportation in commerce of certain DOT Specification MC-331 cargo tanks and cargo tank motor vehicles with a water capacity greater than 3,000 gallons but not greater than 5,400 gallons, manufactured to the DOT MC-331 specification, constructed of non-quenched and tempered ("NQT") steel except that the cargo tanks have baffle support assemblies welded to the inside of the cargo tank without the use of pads. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
  - c. No party status will be granted to this special permit.
  - d. Owners and operators of cargo tanks and cargo tank motor vehicles covered by this special permit should refer to paragraph 8.a. for their responsibilities.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 178.337-3(g) in that any baffle support assembly welded to the inside of the cargo tank wall without the use of pads is not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of Trinity Containers, LLC dated March 1, 2016, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

<b>Hazardous Material Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Materials authorized for transportation in DOT MC-331 Specification Cargo Tanks	Various	Various	Various

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are DOT Specification MC-331 cargo tank motor vehicles with a water capacity greater than 3,000 gallons but not greater than 5,400 gallons. The cargo tanks are manufactured by Trinity Containers, LLC to the DOT MC-331 specification and constructed of NQT steel with baffle support assemblies welded to the inside of the cargo tank wall without the use of pads. No new construction is authorized. This special permit authorizes use of the cargo tanks described herein manufactured by Trinity Containers, LLC between January 1, 1996 and April 22, 2015 and that are identified in paragraphs 7.a.(1) or (2) below.

(1) For cargo tanks manufactured from January 1, 1999 through April 21, 2015, the serial numbers for the cargo tanks are located at:

[https://phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/DOT SP 20222 Cargo Tank Serial Numbers.pdf](https://phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/DOT%20SP%202022%20Cargo%20Tank%20Serial%20Numbers.pdf).

(2) For cargo tanks manufactured from January 2, 1996 through December 31, 1998, the cargo tanks must be only those that are identified on each cargo tank data plate

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as manufactured from January 2, 1996 through December 31, 1998 and that meet the specifications in paragraph 7.a. above.

b. INSPECTIONS AND TESTS - At each test and inspection as part of the pressure test required by § 180.407(g), the required internal inspection must include a detailed inspection of the baffle, baffle supports, their attachment to the cargo tank wall and the interior wall of the cargo tank.

(1) The area of direct weld attachment to the shell of the angle support must be inspected for cracking, corrosion, weld defects or other defects that may cause the baffle or angle to detach from the shell. Ferrous baffles or angle supports must be examined by the Wet Fluorescent Magnetic Particle method. Non-Destructive Examination (test methodology, tester qualifications, and documentation) must be in accordance with ASME Section V. Any cracked or corroded angle support must be replaced with material whose properties are equivalent to that of the cargo tank wall, or a material approved by a Design Certified Engineer.

(2) Angle supported baffles must be inspected for cracking, corrosion, weld defects, or distortion that would allow the entire baffle or any part of the baffle to become detached from any of its anchor points.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who owns a cargo tank motor vehicle or cargo tank covered by this special permit may continue to use it once it has been inspected or repaired in conformance with this special permit and the HMR.

b. A repair facility may test and repair a cargo tank motor vehicle covered by this special permit.

c. A current copy of this special permit must be maintained at each repair facility where the cargo tank motor vehicle is tested or repaired.

d. Each person performing an inspection or repair of a cargo tank in accordance with this special permit must prepare a test report, identifying the results of the inspection and a summary of the repairs, in accordance with the requirement in § 180.417(b).

e. Each person performing an inspection or repair of a cargo tank in accordance with this special permit must report any cracking, corrosion, weld defects or other defects that may cause the baffle or angle to detach from the shell or any other concerns with the cargo tank immediately to the FMCSA at [fmcsa.cargotank@dot.gov](mailto:fmcsa.cargotank@dot.gov) and to the Office of Hazardous Materials Safety Approvals and Permits Division at [specialpermits@dot.gov](mailto:specialpermits@dot.gov).

f. Copies of the test report prepared under this special permit must be made available in accordance with the requirements in § 180.417(d) and must be submitted to the Federal Motor Carrier Safety Administration at: [fmcsa.cargotank@dot.gov](mailto:fmcsa.cargotank@dot.gov).

g. MARKING - Trinity Containers, LLC must provide each owner and operator of cargo tanks and cargo tank motor vehicles covered by this special permit with markings that conform to § 172.302(c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: None, as a requirement of 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 William Schoonover  
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

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Hazardous Materials Safety Homepage at

[http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](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: Staniszewski