

October 11, 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 20555

**EXPIRATION DATE: 2018-12-31**

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Akzo Nobel Functional Chemicals LLC  
La Porte, TX
2. PURPOSE AND LIMITATIONS:
  - a. This emergency special permit authorizes the one-way transportation in commerce of diethylaluminum dichloride residue in a certain MC331 cargo tank from Plaquemine, LA, to Akzo Nobel's clean and repair facility in La Porte, TX. 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 178.337-9(b), Subpart E in that temporary repairs and associated testing, inspection, marking and records have been done to allow the offloading of product and transportation of product residue to a facility to affect final repair of the cargo tank motor vehicle.

**October 11, 2017**

5. BASIS: This special permit is based on the application of Akzo Nobel Functional Chemicals LLC dated September 29, 2017, submitted in accordance with § 107.117 and a determination that it is necessary to protect life and property.
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>
Organometallic substance, liquid, water-reactive, flammable	4.3	UN3399	I

7. SAFETY CONTROL MEASURES:
- a. PACKAGING - Packaging is a DOT MC 331 cargo tank, manufactured by Mississippi Tank, serial number 80431. The cargo tank has a pinhole in the loading/unloading pipe where it is welded to the top of the cargo tank within the valve/piping protective housing. The pinhole has been temporarily repaired with an epoxy repair product.
- b. TESTING -
- (1) The repaired tank has been pressure tested by applying the maximum offloading pressure of 25 psig to the tank for 8 hours.
- c. OPERATIONAL CONTROLS -
- (1) Unloaded cargo tank shall maintain a 3-10 psi nitrogen pad within the tank for one-way transportation of the residue from Plaquemine, LA to LaPorte, TX.
- (2) Tank must be clearly marked "DO NOT LOAD" for one-way trip to clean and repair facility.

**October 11, 2017**

(3) cargo tank motor vehicle must be plainly and durably marked on both sides near the middle in letters at least two inches in height on a contrasting background "DOT-SP 20555" as specified in § 172.302(b) and (c).

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a packaging covered by this special permit, may reoffer it for transportation provided no modification or change is made to the packaging and it is offered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo tank motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard the 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.

**October 11, 2017**

- 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 Materials 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

**October 11, 2017**

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: kah