

July 11, 2019



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 20788

EXPIRATION DATE: 2021-05-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Trinity Tank Car, Inc.
Dallas, TX
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, mark, sale, and use of DOT specification tank car tanks with nozzle flanges manufactured using methods not currently identified in the Association of American Railroads (AAR) Manual of Standards and Recommended Practices, Section C-Part III, Specifications for Tank Cars, Specification M-1002, except as specified herein, for the transportation in commerce of the hazardous materials authorized by this special permit. 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. In accordance with 49 CFR 107.107(a), party status may not be granted to a manufacturing permit. These packagings may be used in accordance with 49 CFR 173.22a.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.203(a) in that each shipping paper need not be notated with the special permit number as provided herein; §§ 179.100-9(a), 179.200-10(a), 179.220-10(a), and 179.400-11(c) in that flash welding methods meeting the requirements of the 2017 American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section IX paragraph QW-219 are not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of Trinity Tank Car, Inc. dated October 5, 2018 and March 21, 2019, submitted in accordance with § 107.105 and the public proceeding thereon and additional information submitted March 21, 2019.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Those hazardous materials authorized to be transported in DOT Specification tank car tanks	As appropriate	As appropriate	As appropriate

7. SAFETY CONTROL MEASURES:

a. PACKAGING: The packagings prescribed are DOT specification tank cars as required by regulation, except the tank car is equipped with a flash welded nozzle flange. The flash welded nozzle flange must conform to the ASME Boiler and Pressure Vessel Code, Section IX paragraph QW-219 including the essential variables, the mechanical and soundness testing practices, and the qualification requirement for flash welding.

b. TESTING:

(1) The flash welded nozzle flanges must be inspected after final production using either the Radiographic (RT) or Ultrasonic (UT) testing method. The results of each inspection must be documented before and after any repairs are made in accordance with M-1002 Appendix T.

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(2) Acceptance Criteria: The quality of finished welds must conform to M-1002 Appendix W for the nondestructive testing method employed.

c. OPERATIONAL CONTROLS:

(1) Association of American Railroads (AAR) approval per § 179.3 is required prior to the flash welded nozzle flange being applied to an authorized DOT specification rail tank car.

(2) Trinity Tank Car, Inc. must submit a quarterly report to the Department. The report must contain the tank car number, DOT specification, and the inspection results of the testing listed in paragraph 7.b. of this special permit. The tank car number and DOT specification must be included as an Appendix of this special permit when submitted.

(3) Each flash welded nozzle flange must have a weld joint identification. The weld joint identification must mark the location where the flash weld is positioned. The weld joint identification must be used for inspection purposes.

(4) Each tank car manufactured with the flash welded nozzle authorized by this special permit must be marked "DOT-SP 20788" in accordance with § 172.302(c). This marking must be maintained near the stencil marking on the tank car.

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.

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c. A current copy of this special permit must be maintained at each facility where the packaging is manufactured under this special permit. It must be made available to a DOT representative upon request.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.
10. MODAL REQUIREMENTS: The applicant must notify the Federal Railroad Administration of any unusual incident (e.g., damage while being operated, excessive corrosion, release of product) or incidents known to it that occur during the movement of cars authorized under this special permit. This includes adverse findings related to the flash welded nozzle flanges during qualification. FRA may be contacted at:

Federal Railroad Administration
Hazardous Materials Division
1200 New Jersey Ave. SE
W35-331
Washington, DC 20590
ATTN: Mark Maday, Staff Director 202-493-0479
FAX: 202-493-6478

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.

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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 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: MAJORS