

April 27, 2020



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 21042

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the offering for and transportation in commerce of certain 55-gallon drums containing residue of Class 3, Packing Group II disinfectant that have not been closed in accordance with the manufacturer's closure instructions during the coronavirus disease 2019 (COVID-19) Public Health Emergency as determined by the Secretary of Health and Human Services. This special permit will terminate at such time as the COVID-19 Public Health Emergency ends or as indicated on each authorization letter, whichever occurs sooner. 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.
 - 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 §§ 173.22(a)(4) and 173.24(f)(2) in that the shipper is authorized to close the package in a manner other than that specified in the manufacturer's closure instruction.

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5. BASIS: This special permit is based on the application of Walmart Inc. dated April 20, 2020 and submitted in accordance with § 107.117 and the determination that it is necessary to protect life and property.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Alcohols, n.o.s.	3	UN1987	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING:

(1) Prescribed packagings are specification UN 1H1 plastic drums meeting the applicable requirements of 49 CFR Part 178.

(2) Drums shall be emptied to the greatest extent practicable and contain only residues of hazardous materials.

(3) The grantee need not comply with the manufacturer's closure instructions when closing the package provided the bung cap is reinserted into the top of the drum and hand tightened to the greatest extent possible.

(4) Drums shall be securely shrink- or stretch-wrapped to pallets to prevent movement during transportation. Drum openings must be in the upright position.

(5) After consolidation at a return/distribution center and prior to loading onto a vehicle for return to the sanitizer manufacturer, the bung cap must be rechecked for hand tightness by the motor vehicle operator.

b. OPERATIONAL CONTROLS:

- (1) Only hazardous materials used for sanitization purposes are authorized under the terms of this special permit.
- (2) Packages must not be visible in transportation.
- (3) Packages must be loaded by the shipper and unloaded by the shipper or consignee.
- (4) Pallets must not be stacked in transportation.
- (5) Packages must be transported in private or contract carriage.
- (6) Transportation is only authorized from retail outlets to return/distribution centers and from return/distribution centers to the sanitizer manufacturer.
- (7) Shipments made under the provisions of this special permit are eligible for the exception in § 173.29(c).

8. SPECIAL PROVISIONS:

a. 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.

b. 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: 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.

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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 this special permit has expired or is otherwise no longer in effect.

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

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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 <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: AE