

November 1, 2006



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 10195
(NINTH REVISION)

EXPIRATION DATE: September 30, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: BASF Catalysts LLC
(Former Grantee: Engelhard Corporation)
Pasadena, TX
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of DOT Specification 4BW225 or 4BW240 cylinders which are limited to a 15 year service life subject to 5 year internal and external visual inspections when used in dedicated compatible catalyst formulation service. 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. Party status will not be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 180.205 in that the cylinders are authorized for alternative testing.

November 1, 2006

5. BASIS: This special permit is based on the application of BASF Catalysts LLC dated September 21, 2006, submitted in accordance with § 107.109 and additional information dated October 10, 2006.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Corrosive liquids, acidic, organic, n.o.s.	8	UN3265	II
Corrosive solids, acidic, inorganic, n.o.s.	8	UN3260	II
Corrosive solids, flammable, n.o.s.	8	UN2921	II
Flammable liquids, corrosive, n.o.s.	3	UN2924	II
Flammable liquids, toxic corrosive, n.o.s.	3	UN3286	II
Flammable solids, corrosive, organic, n.o.s.	4.1	UN2925	II
Water reactive liquids, n.o.s.	4.3	UN3148	II
Water reactive solids, n.o.s.	4.3	UN2813	II
Water reactive solid, flammable, n.o.s.	4.3	UN3132	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT 4BW225 or 4BW240 cylinders not over 75 gallons water capacity. Each cylinder must be prepared and filled for shipment in accordance with the procedures contained in the petitioner's June 11, 1993 application. Additionally, each cylinder must be in dedicated compatible catalyst formulation service during its service life.

b. In lieu of the prescribed hydrostatic test, each cylinder must be subjected to a complete internal and external visual examination in accordance with CGA Pamphlet C-6 at least once every five years.

Prior to being returned to service, each cylinder must be prepared for refilling in accordance with the procedures contained in the petitioner's June 11, 1993 application.

c. The service life for each cylinder may not exceed 15 years from the date of manufacture.

d. If for any reason, the cylinders are removed from the authorized catalyst formulation service, the cylinders must have all DOT specification markings permanently removed and rendered incapable of holding pressure.

8. SPECIAL PROVISIONS:

a. This special permit also serves as a Competent Authority Approval (CA-9604012), issued by the Associate Administrator for the Office of Hazardous Materials Safety of the United States, in accordance with Section 7.9 of the International Maritime Dangerous Goods (IMDG) Code.

b. Packagings permanently marked 'DOT-E 10195', 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 10195'.

c. Shipping papers displaying 'DOT-E 10195' may continue to be used until October 1, 2007, provided the special permit remains valid.

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

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel 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 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 Robert A. McGuire
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: sln