

September 4, 2009



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 11209
(TENTH REVISION)

EXPIRATION DATE: July 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Members of The National Propane Gas Association as individual Grantees on File with the Office Hazardous Materials Special Permits and Approvals Arlington, VA
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of liquefied petroleum gas (LPG) in non-DOT specification cargo tank motor vehicles exclusively for agricultural purposes when operated by a private carrier. 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. No party status will 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 § 173.315(a) in that the cargo tank is not an authorized packaging except as specified herein; and the marking requirements in §§ 172.203(a), and 172.302(c) are waived.

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5. BASIS: This special permit is based on the Pipeline and Hazardous Materials Safety Administration's August 14, 2009, *Policy Statement for Special Permits and Approvals Issued to Members of an Industry Association*.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Petroleum gases, liquefied or Liquefied petroleum gas	2.1	UN1075	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification cargo tank motor vehicle commonly known as a moveable fuel storage tender used exclusively for agricultural purposes. In order to qualify for this special permit, cargo tanks must:

- (i) have a minimum design pressure of 250 psig and meet the requirements of the ASME Code in effect at the time of manufacture and be marked accordingly;
- (ii) have a water capacity of 1,200 gallons or less;
- (iii) conform to National Fire Protection Association Pamphlet No. 58; and
- (iv) be mounted securely on a motor vehicle.

b. MARKING - Each cargo tank must be painted white, aluminum or other light reflecting color. The marking requirements of §§ 172.203(a) and 172.302(c) are waived.

c. OPERATIONAL CONTROLS - The packaging covered by this special permit may only be operated by a private carrier exclusively for agricultural purposes provided:

- (i) The cargo tank when used is charged to appropriate filling limits as provided in § 173.315(b) of this subchapter for liquefied petroleum gas;

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(ii) The transportation of a filled cargo tank over public roads is limited to the movement between one field and another and then only by the shortest practical distance on public roads;

(iii) Transportation by a cargo tank between point of use and a propane distribution facility is limited to the tank containing no more than 5 percent of its water capacity.

8. SPECIAL PROVISIONS: 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.
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 the special permit has expired or is otherwise no longer in effect.

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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 Theodore L. Willke
Associate Administrator for Hazardous Materials Safety

Address all inquires 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 the special permit is prohibited.

PO: LAVALLE