



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

October 18, 2022

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1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 12241
(NINTH REVISION)

EXPIRATION DATE: 2026-09-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Ascend Performance Materials Operations LLC
Houston, TX
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain wetted metal catalyst classed as Division 4.2 material in bulk containers. 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. 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 § 172.101 Hazardous Materials Table, Column (8C) in that bulk packagings are not authorized for the entry Metal catalyst, wetted, UN1378, except as specified herein.
5. BASIS: This special permit is based on the application of Ascend Performance Materials Operations LLC dated July 22, 2022, submitted in accordance with § 107.109.

Tracking Number: 2022034371

6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous Materials Description | | | |
|---|---------------------------|-----------------------|---------------|
| Proper Shipping Name | Hazard Class/ Division | Identification Number | Packing Group |
| Metal catalyst, wetted <i>with a visible excess of liquid</i> | 4.2 | UN1378 | II |

7. SAFETY CONTROL MEASURES:

a. PACKAGING: DOT Specification MC 307/312 cargo tanks meeting the applicable maintenance requirements specified in §§ 180.401 through 180.417.

b. OPERATIONAL CONTROLS:

(1) The spent metal catalyst should contain no less than 25% of water by volume to completely cover the material in the tank.

(2) Each trailer must be equipped with internal augers to mix the material at all times while in transportation.

8. SPECIAL PROVISIONS:

a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).

b. A current copy of this special permit must be maintained at each facility where the package is offered 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 material 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 William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-13, 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: TG