

February 23, 2006



U.S. Department
of Transportation

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

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 12284
(NINTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain non-DOT specification cargo tanks used for roadway striping. 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 emergency 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 § 173.242(b) in that the use of non-DOT specification cargo tanks is not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of L & D Safety Markings dated September 1, 2004 and additional information submitted January 5, 2006 submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/Division	Identification Number	Packing Group
Adhesives, containing a flammable liquid	3	UN1133	II
Paint including paint, lacquer, enamel, stain, shellac solution, varnish, polish, liquid filler, and liquid lacquer base	3	UN1263	II
Paint related material including paint thinning drying, removing, or reducing compound	3	UN1263	II
Flammable liquids, n.o.s. ^(a)	3	UN1993	II
Gasoline	3	UN1203	II
Acetone ^(b)	3	UN1090	II
Dichloromethane ^(b)	6.1	UN1593	III
Ethyl methyl ketone or Methyl ethyl ketone ^(b)	3	UN1193	II
Ethyl acetate ^(b)	3	UN1173	II
Methanol ^(b)	3	UN1230	II
Organic peroxide type E, liquid (Dibenzoyl peroxide) ^(c)	5.2	UN3107	II
Petroleum distillates, n.o.s. or Petroleum products, n.o.s. ^(b)	3	UN1268	III
1,1,1-Trichloroethane ^(b)	6.1	UN2831	III
Toluene ^(b)	3	UN1294	II
Xylenes ^(b)	3	UN1307	II, III
Environmentally hazardous substances, liquid, n.o.s. ^(c)	9	UN3082	III
Corrosive liquid, basic, organic, n.o.s. ^(c)	8	UN3267	III
Corrosive liquids, n.o.s. ^(c)	8	UN1760	III
Elevated temperature liquid, n.o.s. ^(d)	9	UN3257	III

^(a): adhesive containing ethyl acetate^(b): solvent^(c): catalyst^(d): thermoplastic material non-hazardous at room temperature

February 23, 20067. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are certain non-DOT specification cargo tanks securely bolted to a motor vehicle, used for roadway striping. Each cargo tank must be constructed and certified in conformance with the ASME Code. Each cargo tank must have a minimum design pressure of 100 psig and a maximum capacity of 500 gallons. The maximum quantities of solvents and peroxides must not exceed 50 gallons in a cargo tank. The temperature of the thermoplastic must be elevated at the time of striping application.

b. TESTING -

(1) Each cargo tank must be given an external visual inspection prior to use to ensure that it has not been damaged on the previous trip.

(2) Each cargo tank must be retested and reinspected in accordance with § 180.407(c) as specified for a DOT Specification MC 331 cargo tank motor vehicle.

c. OPERATIONAL CONTROLS -

(1) Each cargo tank must be securely mounted to a motor vehicle in accordance with the securement provisions prescribed in §§ 393.100 - 393.106 of the Federal Motor Carrier Safety Regulations and have an identification number listed in the special permit application on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). Other vehicles may be used only after notifying OHMSPA in writing to amend the list and receiving written confirmation from OHMSPA that the amendment to the list is approved.

(2) No cargo tank may be filled to be liquid full at less than or equal to 130°F.

(3) The cargo tank may not be pressurized when the motor vehicle is traveling to and from job sites.

(4) The distance traveled by a cargo tank containing hazardous material listed in Paragraph 6 may not exceed 750 miles.

February 23, 20068. SPECIAL PROVISIONS:

a. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

b. Each vehicle must be plainly marked on both sides near the middle in letters at least two inches in height on a contrasting background "DOT-SP 12284." Each vehicle identification number must be marked on both sides of the vehicle.

c. Hydrostatic test certificates for each cargo tank must be maintained by the manufacturer or owner and be made available to any representative of the Department of Transportation upon request.

d. Packagings permanently marked 'DOT-E 12284', 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 12284'.

e. Shipping papers displaying 'DOT-E 12284' may continue to be used until October 1, 2007, provided the special permit remains valid.

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.

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- 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.

A handwritten signature in blue ink, appearing to read "R. Ryan Foster", is written over a faint, circular official stamp.

for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

February 23, 2006

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: STH/dl