

January 23, 2010



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 12379
(FOURTH REVISION)

EXPIRATION DATE: December 31, 2013

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Western Farm Service
Walnut Grove, CA
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes certain unloading attachments to remain attached to tank cars when no unloading is being conducted. 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 §§ 172.203(a) and 172.302(c) in that marking the special permit number on the shipping papers and tank cars is waived; and § 174.67(i) and (j) in that unloaded operations must be attended, except as provided herein.
5. BASIS: This special permit is based on the application of Western Farm Service dated October 26, 2009, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Phosphoric acid	8	UN1805	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT specification tank cars authorized for the material listed in paragraph 6. The tank cars are equipped with a bottom outlet flange adapter plate and a protective cap. The piping and cap must be manufactured and installed in accordance with the drawing provided in the application dated October 15, 1999.

b. OPERATIONAL CONTROLS - The cap must be secured to the unloading pipe by a locking device capable of preventing a release of contents during periods when no unloading operations are being conducted.

c. MARKING - The marking requirements in §§ 172.203(a) and 172.302(c) are waived.

8. SPECIAL PROVISIONS: A current copy of this special permit must be maintained at each facility conducting operations under the terms of this special permit.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: No additional requirements other than as required in the HMR.

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.

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- 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 Dr. Magdy El-Sibaie
Acting Associate Administrator for Hazardous Materials Safety

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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: FRA/dl