

October 12, 2007



U.S. Department
of Transportation

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 12613
(FOURTH REVISION)

EXPIRATION DATE: September 30, 2011

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: NOVA Chemical Corporation
Calgary, Alberta, Canada
(U.S. Agent: NOVA Chemical Corporation,
Moon Township, PA)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the manufacturing, marking, sale and use of DOT Specification 112J340W tank cars that have a maximum gross weight on rail of 286,000 pounds, for the transportation in commerce of the materials described in paragraph 6 below. 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.203(a) in that marking the special permit number on the shipping paper is waived; § 173.31(c)(1); and § 179.13 in that the gross weight limitation for a tank car is exceeded.
5. BASIS: This special permit is based on the application of NOVA Chemical Corporation dated May 21, 2007, submitted in accordance with § 107.109.

October 12, 20076. HAZARDOUS MATERIALS (49 CFR 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identification Number	Packing Group
Flammable liquid, n.o.s.	3	UN1993	I
Petroleum Distillates, n.o.s.	3	UN1268	I

7. SAFETY CONTROL MEASURES:a. PACKAGING:

(i) Packaging prescribed are DOT Specification 112J340W tank cars constructed under Certificate of Construction number L006080A and L046015A.

(ii) Each tank must conform to the Association of American Railroads Standard S-259, dated January 5, 1995, or the AAR Standard S-286-2002, January 1, 2004, Manual of Standards of Recommended Practices Section CIII, 2.5 effective October 1, 2003, and the following requirements:

Betterments	Type of Features
Puncture Resistance	Head thickness 0.608 AAR TC-128 Grade B Normalized, plus ½-inch thick ASTM A572 Grade 50 full-head jackets Shell thickness 0.608 AAR TC-128 Grade B Normalized
Controlling Longitudinal Loadings	Cardwell Westinghouse Mark 50
Structural Worthiness	Trinity Type 23 underframe having a one million mile fatigue life calculated by applying an overall load factor of 1.09.
Track Worthiness	Barber S-2-D "advanced" trucks

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Pressure Relief Device	Reclosing pressure relief device
Service Equipment Protection	Each car has a protective housing conforming to 49 CFR 179.100-12
Maintenance Program Development	See paragraph 8(e)

(iii) Each tank may be loaded to a maximum gross weight on rail not to exceed 286,000 pounds, provided that the tank is not loaded in excess of the amount authorized per §173.24b.

b. MARKING: (1) Each tank car operating under the terms of this special permit must be marked "DOT-SP 12613" in four-inch letters and numerals on a contrasting background above the DOT Specification number.

c. Each tank car must be stenciled "Flammable Liquid, n.o.s." or "Petroleum Distillates, n.o.s." in accordance with § 172.302(b) and Appendix C of the AAR Specification for Tank Cars.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

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

c. Each tank car may be operated only under controlled interchange conditions, as specified in the AAR Interchange Rules. Transit routes shall be agreed to, in writing, by participating railroads. The written acceptance shall be submitted to the Associate Administrator for Hazardous Materials Safety (AAHMS) at the address specified at the end of this special permit prior to the first offering on each route.

d. Marking the special permit number on the shipping papers as required in § 172.203(a) is waived.

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e. The applicant shall file a copy of their complete maintenance program for any car operating under the terms of this special permit. The program must be filed with the Federal Railroad Administration, at the address indicated in paragraph 10 prior to offering a tank car under the terms of this special permit.

f. Packagings permanently marked 'DOT-E 12613', 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 12613'.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: The Federal Railroad Administration is to be notified if any unusual incident occurs during the movement by contacting the:

Federal Railroad Administration
Hazardous Materials Division
RRS-12, Mail Stop 25
1120 Vermont Avenue, N.W.
Washington, D.C. 20590

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.

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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.

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 inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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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: dl