

August 21, 2006



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14391
(FIRST REVISION)

EXPIRATION DATE: September 30, 2006

1. GRANTEE: W.E.L., Inc.
Concord, VA
2. PURPOSE AND LIMITATION:
 - a. This emergency special permit authorizes the one-time, one-way transportation in commerce of four damaged Intermediate Bulk Containers (IBCs) containing sodium hydrosulfite, when further packaged as provided herein. 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. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not 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 §§ 173.28(a), 173.35(a) and 173.35(b), in that a damaged IBC may not be offered for transportation, except as provided herein.
5. BASIS: This emergency special permit is based on the application of W.E.L., Inc. dated August 15, 2006, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property and additional information dated August 17, 2006.

August 21, 2006

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|--|-------------------------------|------------------------------|----------------------|
| Proper shipping name | Hazard Class/ Division | Identification Number | Packing Group |
| Sodium hydrosulfite | 4.2 | UN1384 | PG II |

7. SAFETY CONTROL MEASURES:a. PACKAGING - Prescribed packaging is as follows:

- (1) Four damaged intermediate bulk containers.
- (2) The damaged IBCs must be completely and securely wrapped with two layers of 4 mil plastic sheeting;
- (3) The IBCs must be placed on and banded to a pallet to prevent movement and be securely blocked, braced and transported in a completely enclosed, moisture free, secure trailer.

b. OPERATIONAL CONTROLS -

- (1) Transportation must be by private or contract motor carrier in exclusive use of W.E.L., Inc.
- (2) This special permit only authorizes the one-time, one-way transportation of the four IBCs described in paragraph 7 above from the state maintained weigh station located on I-81 South @ MM148 in Botetourt County, VA to the Radford Facility Army Ammunitions Plant (RFAAP), New River Unit (NRU), Dublin, VA.

8. SPECIAL PROVISIONS:

a. Each vehicle transporting the damaged IBCs must be escorted by Virginia State Police and a Hazardous Materials Response Team.

b. MARKING - The exterior of each overwrapped IBC must be plainly and durably marked "DOT-SP 14391" in accordance with 49 CFR 172.302(c).

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 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

August 21, 2006

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 Robert A. McGuire
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, 400 Seventh Street, SW, 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: LAVALLE