

April 24, 2007



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14431
(FIRST REVISION)

EXPIRATION DATE: August 31, 2007

1. GRANTEE: Kraton Polymers
Belpre, OH
2. PURPOSE AND LIMITATION:
 - a. This emergency special permit authorizes the one-time, one-way transportation in commerce of ethylene dibromide in an alternative packaging system. 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 or other uses not associated with transportation in commerce.
 - c. No party status will be granted to this special permit.
 - d. This special permit will not be renewed.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.227(c) in that the use of an alternative packaging system is not authorized, except as specified herein.
5. BASIS: This emergency special permit is based on the application of Kraton Polymers dated November 6, 2006, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss and additional information dated April 10, 2007.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Ethylene dibromide	6.1	UN1605	I, Hazard Zone B

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The packaging system prescribed is as follows:

(1) A 30 gallon UN1A1/X1.8/300 closed head steel drum overpacked in a 55 gallon UN1A2/Y1.8/200 open head steel drum.

(2) The inner drum must be placed on a polypropylene absorbent/cushioning pad with a minimum thickness of not less than 2 inches. The inner drum must be surrounded on all sides with vermiculite or other non-reactive, shock mitigating material to: isolate the inner drum from the outer drum; fill void spaces; and prevent movement within the outer drum.

b. OPERATIONAL CONTROLS -

(1) The closures of the inner drum and outer drums must be closed and tightened to a torque prescribed by the closure manufacturer(s), using a properly calibrated device that is capable of measuring torque.

(2) The overpacked drums must meet the requirements of § 173.227(c) with regard to the shipper loading the material, blocking and bracing the drums and sealing the transport vehicle.

(2) Shipment must be from one origin to one destination only without any intermediate pickup or delivery.

8. 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. MARKING - Each packaging system and sealed transport vehicle must be plainly and durably marked "DOT-SP 14431" as required provided by §§ 172.301(c) and 172.302(c) respectively.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, cargo vessel, and rail freight.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or 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 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 Bob Richard
Deputy 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/Burger