

December 11, 2006



U.S. Department  
of Transportation

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

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 14435

EXPIRATION DATE: February 28, 2007

1. GRANTEE: Tetra Technologies, Inc.  
The Woodlands, TX
2. PURPOSE AND LIMITATION:
  - a. This emergency special permit authorizes the one-time, one-way transportation in commerce of Bromine in a DOT Specification IM101 portable tank that is not filled between 88% and 92% of capacity. 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.249(c) in that an IM101 portable tank must be filled between 88% and 92% capacity, except as provided herein.
5. BASIS: This emergency special permit is based on the application of Tetra Technologies, Inc. dated November 27, 2006, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper shipping name</b>	<b>Hazard Class/ Division</b>	<b>Identi- fication Number</b>	<b>Packing Group</b>
Bromine or Bromine solutions	8	UN1744	I Hazard Zone A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a DOT Specification IM101 portable tank with a water capacity of approximately 1460 U.S. gallons. The portable tank must bear owners serial number TTAU 024701-5 or TTAU 024705-7. The portable tank meets all the requirements for the transportation of Bromine except that it is filled to approximately 50% capacity.

b. OPERATIONAL CONTROLS:

- (1) The portable tank must be shipped securely attached to a drop frame container chassis.
- (2) The speed of the motor vehicle on highway ramps must be at least 5 mph less than the designated speed.
- (3) A pre-trip safety meeting must be conducted with the driver to review the roll-over potential and the driver must be provided written driving instructions.

8. SPECIAL PROVISIONS:

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

b. Transportation is authorized one-way from The Dow Chemical Company, Ludington, MI to Biolab-Chemtura in Adrian MI, a distance of approximately 240 miles.

c. Transportation must be by Quick-Way, Inc. under exclusive use.

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d. The portable tank must be plainly and durably marked "DOT-SP 14435" as specified in §§ 172.302(b) and (c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.
10. MODAL REQUIREMENTS: A current copy of this special permit and written driver instructions 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.

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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 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](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm)  
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PO: LAVALLE