



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

**March 07, 2023**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DOT-SP 14635  
(FIFTH REVISION)

**EXPIRATION DATE: 2027-02-28**

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Brainerd Chemical Company, Inc.  
Tulsa, OK
  
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of Nitric acid, other than red fuming, with more than 70 percent nitric acid in alternative packaging when transported by motor vehicle. 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 § 173.158(d) in that the use of alternative packaging is not authorized except as specified herein.
  
5. BASIS: This special permit is based on the application of Brainerd Chemical Company, Inc. dated January 17, 2023, submitted in accordance with § 107.109.

Tracking Number: 2023014972

6. HAZARDOUS MATERIALS (49 CFR 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper shipping name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Nitric acid <i>other than red fuming, with more than 70 percent nitric acid</i>	8	UN2031	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Packaging prescribed is a 30 gallon (113.5 L) UN 6HA1 composite packaging with inner plastic receptacle within a protective steel drum inside a UN 1A2 removable head steel drum overpack.

(1) The UN 6HA1 composite packaging consists of a rotationally molded Teflon inner receptacle inside a 304 stainless steel removable head drum with 304 stainless steel cover closed with a 2.3 mm (0.091 in.) steel bolt and nut locking ring. The packaging has two 2" (50.8 mm) buttress threaded openings that are sealed with a 2" Teflon plug and a 2" Teflon drum insert connected to a 2" polyethylene and Teflon cap. The composite packaging conforms to the container tested by TEN-E Packaging Services, Inc. for Entegris, Inc., part numbers 050312 and 050412, as detailed in TEN-E Periodic Retest Report #07-3087, on file with the Office of Hazardous Materials Safety Approvals and Permits Division. (OHMS).

(2) The UN 1A2 drum is a 1.5 mm (0.058 in.) 304 stainless steel removable head drum with a 1.5 mm 304 stainless steel cover closed with a 12 gauge steel bolt and nut locking ring. The drum conforms to Skolnik Industries, Inc. drawing #ST5501, on file with the OHMS.

b. TESTING: Both the inner UN 6HA1 composite packaging with inner plastic receptacle and outer UN 1A2 removable head steel drum must be tested at the Packing Group I performance level. The packagings are to be hydrostatically pressure tested in accordance with § 178.605 to not less than 200 kPa (29 psi).

c. OPERATIONAL CONTROLS:

(1) Both the inner UN 6HA1 composite packaging with inner plastic receptacle and outer UN 1A2 removable head steel drum are to be closed according to the manufacturers' instructions.

(2) Screw closures must be physically held in place to prevent back-off or loosening by impact or vibration during transportation.

(3) Inner and outer packaging must be separated by a shock-mitigating, non-reactive material.

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. MARKING: Each outer package must be plainly and durably marked "DOT-SP 14635" as specified in § 172.301(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 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 William Schoonover  
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-13, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: TG