

May 16, 2008



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 14708

EXPIRATION DATE: October 31, 2008

1. GRANTEE: Mace Security International, Inc.  
Bennington, VT
2. PURPOSE AND LIMITATION:
  - a. This emergency special permit authorizes the one-way transportation in commerce of approximately 55,000 pounds of a tear gas substance in non-DOT specification wooden boxes that are capable of meeting PG II performance level for disposal only. 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 § 173.212 in that packagings are capable of meeting the performance requirements but are not certified by marking and § 172.301(c) in that the marking requirements are waived.
5. BASIS: This emergency special permit is based on the application of Mace Security International, Inc. dated May 15, 2008, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

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>
Tear gas substances, solids, n.o.s. (Orthochlorobenzalmalonontrial)	6.1	UN3448	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The prescribed packaging is a combination packaging consisting of and meeting the description on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA):

i. Five (5) rectangular plastic jerricans with integral handles and a plastic screw cap closure. Each jerrican is filled with not more than 3.62 kg (8 pounds) net weight of hazardous material. The closure must be secured against loosening with black plastic tape.

ii. The jerricans are packaged in a 5 x 1 orientation within a fiberboard inner box (regular slotted container (RSC)) with corrugated dividers.

iii. The inner box is packed within a heat sealed rubber coated canvas water-proof and vapor-proof barrier bag.

iv. The completed inner packaging is further packed in a rectangular natural wood box (similar to a UN4C1 ordinary box). Void space in the box is filled with corrugated top, bottom and side fillers. The box is closed with nails and strapped with metal bands.

b. Each packaging must be capable of passing testing at the PG II performance level as demonstrated by Container Testing Laboratory, Inc.'s test report on file with the OHMSPA.

c. OPERATIONAL CONTROLS - Transportation is authorized one-way for disposal only.

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 or its contents 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 - The marking requirements of § 172.301(c) are waived.

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.

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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 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.

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) Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.  
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