

October 22, 2012



U.S. Department
of Transportation

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 15088
(FIRST REVISION)

EXPIRATION DATE: September 30, 2016

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Burlington Containers
Brooklyn, NY
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, marking, sale and use of a DOT specification 4G combination packaging for the transportation in commerce of certain materials toxic by inhalation, Hazard Zone A and B, by motor vehicle. The packaging consists of an inner glass bottle, and intermediate steel pail and an outer fiberboard box conforming to all regulations applicable to a UN 4G combination packaging, except as specified herein. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.226(c) and 173.227 in that alternative packaging is authorized as provided herein.

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5. BASIS: This special permit is based on the application of Burlington Containers dated August 30, 2012, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
All toxic materials (inhalation hazard Zone A and B) listed in the hazardous materials table in § 172.101	As appropriate	As appropriate	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING:

(1) Outer packaging: The outer packaging consists of a doublewall fiberboard box manufactured and closed according to the specifications of Packaging Design & Testing LLC (PDT) Certification #1322, dated November 17, 2009 on file with the Office of Hazardous Materials Special Permits & Approvals (OHMSPA).

(2) Inner packaging: The inner packaging system consists of an open-head steel pail and 4L glass bottle manufactured and closed conforming to the specifications of PDT Certification #1322 and the letter from PDT to the special permit holder dated April 14, 2010 on file with OHMSPA. The bottle is placed in a hermetically sealed plastic bag, placed in the steel pail and surrounded with vermiculite.

b. TESTING: The completed packaging must conform to the performance testing requirements of 49 CFR Part 178, Subpart M at the Packing Group I performance level. The inner packaging system must successfully pass the Drop Test and Leakproofness tests of §§ 178.603 and 178.604, respectively, at the Packing Group I performance level without the benefit of the outer packaging. For the Leakproofness Test, both the steel pail and glass bottle must pass. In addition, the

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glass bottle must successfully pass a hydrostatic pressure test in the manner prescribed by § 178.605 at a minimum pressure of 200 kPa, and the steel pail must pass at a minimum pressure of 150 kPa.

c. OPERATIONAL CONTROLS - Shipping papers must bear the notation "TOXIC - INHALATION HAZARD" in addition to meeting the shipping paper requirements contained in 49 CFR Part 172, Subpart C.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modification or change is made to the package and it is offered 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 - Packages shipped under this special permit must be marked "DOT-SP 15088" and "INHALATION HAZARD", in association with each other, in letters at least 6.3 mm (0.25 inch) high on contrasting background.

d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

e. A current copy of this special permit must be maintained at each facility where the packaging is manufactured under this special permit. It must be made available to a DOT representative upon request.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle, Rail

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Freight and Cargo Vessel.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo 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

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materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety -- OHMSPA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie
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 Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: BenMoore:dl