

April 19, 2012



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 15283

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See Individual Authorization Letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of Class 3, PG II polyester resin in UN31A intermediate bulk containers and Division 5.2, organic peroxide, Type D, catalyst in a UN3H1/Y jerrican or drum. The packagings shall be used as part of a concrete mixing/application system. 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 the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
 - d. Upon expiration of this Special Permit, and not later than 5 years after the effective date, no vehicle covered by this Special Permit may be used or further constructed with a rear-mounted IBC. All construction after that date shall be in accordance with paragraph 7.a.(1).
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.28(b)(7) in that reuse of non-bulk packaging with alternative retesting is authorized; 173.35(e) in that use of an IBC with hoses attached is authorized; 173.225(d) in that transportation of organic peroxide type D exceeds the quantity authorized in non-bulk packaging; 173.243(d) in that use of an IBC for PGI materials is authorized; and 177.834(h) in that loading and unloading of the material(s) is authorized, as provided herein.
5. BASIS: This special permit is based on the application of KwikBond Polymers, LLC dated April 8, 2011 submitted in accordance with § 107.105, additional information submitted on April 17, 2012 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|--|------------------------------|------------------------------|----------------------|
| Proper Shipping Name | Hazard Class/Division | Identification Number | Packing Group |
| Organic peroxide type D, liquid | 5.2 | UN3105 | II |
| Resin solution, flammable | 3 | UN1866 | I |
| Acetone | 3 | UN1090 | II |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The packagings prescribed are UN31A Intermediate Bulk Containers (IBC) and UN3H1/Y Jerrican or UN1H1/Y Drum.

(1) The UN31A IBC may be manifolded in the polymer concrete mixing/application equipment when transporting the Class 3 Resin solution, flammable material identified in the table of paragraph 6 above. The IBC may not exceed a capacity of 3,000 liters.

(i) The UN31A IBC must be located as close as practicable behind the driver's compartment of the vehicle and secured in accordance with 49 CFR Part 393 Subpart I standards for protection against shifting and falling cargo.

(ii) Current configurations not meeting the location requirement in paragraph 7.a.(1)(i) must be re-assembled to this requirement when the mixing/application equipment is due to be transferred and mounted to a new chassis. Additionally, when located at the rear of the vehicle the IBC must have rear end protection in accordance with Part 383 of the Federal Motor Carrier Safety Regulations.

(2) The UN3H1/Y Jerrican or UN1H1/Y Drum may be manifolded into the polymer concrete mixing/application equipment when transporting the Division 5.2 Organic peroxide type D, liquid identified in the table of paragraph 6 above and may not exceed a capacity of 60 liters. Additionally, the jerrican or drum must be plainly and durably marked with the date of installation on the vehicle and must be removed from the vehicle no more than two years after the marked installation date.

(3) All non-bulk packagings authorized by this permit must be located within the envelope of the vehicle.

b. Testing -

(1) Each UN31A IBC must be inspected and tested in accordance with Part 180 of the HMR.

(2) Prior to each filling, each jerrican or drum must be visually inspected to ensure that its integrity has not been compromised by mechanical damage, chemical or sunlight degradation. Additionally, at least once each year the jerrican or drum must be subjected to a leakage test as specified in § 173.28(b)(2).

c. OPERATIONAL CONTROLS -

(1) The IBC must be attended by a qualified person at all times during loading, unloading, and/or when used as part of the concrete mixing/application operation. For the purposes of this Special Permit, "attended" and "qualified" have the meanings described in § 177.834(i)(3) and (4) respectively.

(2) Acetone is only permitted to be transported in Materials of Trade quantities in accordance with § 173.6.

(3) Piping may be attached to the discharge outlets of the authorized packagings in paragraph 7.a. during transportation (movement) of the motor vehicle within a 50 mile radius of its origin.

(4) When the transportation (movement) exceeds 50 miles all piping must be unattached from the outlets and the packagings must be plugged or otherwise closed to prevent leakage.

(5) All packagings may be loaded while on the motor vehicle when operated within the 50 mile radius of the highway construction zone. However, two or more packagings may not be loaded simultaneously.

(6) All piping must be rated to 4 times the required service pressure used in the concrete mixing/application system or 100 psig, whichever is greater.

(7) Before starting the use of the concrete mixing/application system, the person operating the system must determine that each component of the system is of sound quality, free of leaks and the connections are secure.

(8) Piping or associated equipment that shows sign of leakage, significant bulging, or other defect must not be used.

(9) All packagings must be visually inspected prior to operation.

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 modification or change is 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.
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 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: LAVALLE