



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

August 08, 2024

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 15706
(FOURTH REVISION)

EXPIRATION DATE: 2028-06-30

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Weilert Enterprises, Inc.
d.b.a. Viking Packing Specialists
Catoosa, OK

2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, mark, sale, and use of the specially designed combination packagings described herein for transportation in commerce of the materials listed in paragraph 6 without hazard labels or placards, with quantity limits not exceeding one liter for liquids or 2.5 kilograms for solids per inner packaging. 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.

 - c. In accordance with 49 CFR 107.107(a), party status may not be granted to a manufacturing permit. These packagings may be used in accordance with 49 CFR 173.22a.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171- 180.

Tracking Number: 2024084347

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.13(a) in that Division 5.2 and toxic by inhalation (TIH) materials are included; § 173.13(b) in that passenger-carrying aircraft is authorized for certain materials; § 173.13(c)(1)(ii) in that absorbent material may be placed inside the inner barrier bag; and § 173.13(c)(1)(iv) and § 173.13(c)(2)(iii) in that a protective frame is authorized in place of an inner fiberboard box, as provided herein.
5. BASIS: This special permit is based on the application of Weilert Enterprises, Inc. dated May 23, 2024, and submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description¹			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Flammable, liquids	3	As Appropriate	I, II, or III
Flammable solids ^{2,3}	4.1	As Appropriate	II or III
Pyrophoric materials ⁴	4.2	As Appropriate	I
Self-heating materials ³	4.2	As Appropriate	II or III
Dangerous When Wet materials	4.3	As Appropriate	I, II, or III
Oxidizers ⁴	5.1	As Appropriate	I, II, or III
Organic peroxides ^{2,3}	5.2	As Appropriate	II
Toxic materials ⁴	6.1	As Appropriate	I, II, or III
Corrosive materials	8	As Appropriate	I, II, or III

Hazardous Materials Description¹			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Miscellaneous hazardous materials	9	As Appropriate	II or III

1 - Only hazardous materials permitted to be transported aboard a passenger-carrying aircraft by Column (9A) of the Hazardous Materials Table in § 172.101 are authorized for transport aboard passenger-carrying aircraft; only hazardous materials permitted to be transported aboard a cargo aircraft by Column (9B) of the Hazardous Materials Table in § 172.101 are authorized for transport aboard cargo-only aircraft.

2 - Excludes Type A, B and C materials.

3 - Excludes materials, which require temperature control.

4 - As restricted by paragraphs 7.c. and 7.d.

7. **SAFETY CONTROL MEASURES:**

a. **PACKAGING:** Packagings manufactured under the terms of this Special Permit must meet the following requirements:

(1) Liquid hazardous material must be placed in a tightly closed glass, metal, or plastic inner packaging(s) with a total capacity not exceeding 1 liter in volume per inner packaging. The inner packaging(s) must be sealed and must be compatible with the product. Inner packaging(s) must have sufficient outage so that they will not become liquid full at 55 C. The net quantity (measured at 20 C) in the inner packaging(s) may not exceed 800 milliliters.

(2) Solid hazardous material must be placed in a tightly closed glass, metal, or plastic inner packaging(s). The net quantity of material in the inner packaging(s) may not exceed 2.5 kilograms. The inner packaging(s) must be sealed and must be compatible with the product.

(3) Inner packaging(s) containing liquid must be:

(i) Surrounded by non-reactive absorbent material, in sufficient quantity to completely absorb the entire contents of the inner packaging(s) and placed into a hermetically sealed (e.g., goose-necked and tied, heat

sealed, etc.) barrier bag (4 mils minimum) which is impervious to the lading; or

(ii) Placed into a hermetically sealed barrier bag (4 mils minimum) which is impervious to the lading and surrounded by non-reactive absorbent material in sufficient quantity to completely absorb the entire contents of the inner packaging(s).

(4) The inner packaging(s) (barrier bag and absorbent material, if required) must be placed in a metal can with a sufficient quantity of non-reactive filler material to immobilize the inner packaging(s) and fill all void spaces.

(5) The metal can must be hermetically sealed for Division 4.2 and 4.3 materials.

(6) The metal can must be placed in an outer packaging with a protective frame insert which is designed to prevent impact and movement of the metal can. The outer package must conform to § 173.201 for liquids and § 173.211 for solids.

(7) All closures must be held securely in place by positive means.

b. TESTING:

(1) The completed package, assembled as for transportation and with the inner packaging(s) filled 98% full of liquid, must be successfully tested in accordance with 49 CFR Part 178 at the Packing Group I level.

(2) The metal can with inner packaging(s) filled 98% full, must be successfully tested in accordance with 49 CFR Part 178 at the Packing Group I level. In addition, for TIH and pyrophoric materials, the metal can must be capable of withstanding a pressure differential of 100 kPa.

c. ADDITIONAL SAFETY CONTROL MEASURES FOR A MATERIAL TOXIC BY INHALATION:

The following provisions are applicable to materials meeting the definition of “material toxic by inhalation” in § 171.8 that are packaged in accordance with the requirements of this special permit:

(1) Each outside package must be marked “INHALATION HAZARD” in letters at least 12.0 mm (one-half inch) high on a contrasting background.

- (2) Shipping papers must contain a notation “TOXIC INHALATION HAZARD” in addition to the shipping paper requirements of Subpart C of Part 172.

d. MATERIALS WHICH MAY NOT BE TRANSPORTED BY PASSENGER-CARRYING AIRCRAFT:

The following materials are forbidden aboard passenger carrying aircraft:

- (1) Materials which meet the definition of “material toxic by inhalation” in § 171.8 (any zone).
- (2) Materials which meet the definition of oxidizer, at the Packing Group I level in accordance with § 173.127(b)(1)(i).

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.
- c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
- 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 Safety 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 freight, cargo aircraft, and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft or motor vehicle used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.
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.:

A handwritten signature in blue ink, appearing to read "William Schoonover".

for William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials 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: BB