

February 18, 2016



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 20210

EXPIRATION DATE: 2018-01-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: ROHM AND HAAS ELECTRONIC MATERIALS LLC
MARLBOROUGH, MA
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the transportation in commerce of a pyrophoric, water-reactive organometallic liquid in non-bulk packaging not authorized for the hazardous material concerned. 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. 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 § 173.181 in that the proposed packaging is not authorized therein.
5. BASIS: This special permit is based on the application of ROHM AND HAAS ELECTRONIC MATERIALS LLC, dated February 05, 2016, submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Organometallic substance, liquid, pyrophoric, water-reactive	4.2	UN3394	I

7. SAFETY CONTROL MEASURES:a. PACKAGING -

(i) Outer packaging- The receptacle is packaged in a UN-specification 1A2 open-head drum tested for solids to the Packing Group I performance level with a nominal volume of 322 L (85 gallons), capable of passing a hydrostatic pressure test of 100 kPa (15 psig) and with a minimum thickness of 1.35 mm (0.053 inches).

(ii) Inner packaging - Prescribed inner packaging is a non-specification stainless steel receptacle designed, constructed, and stamped in accordance with Section VIII, Division I of the ASME Code with a nominal maximum capacity of 39.7 L (10 gallons), and a maximum allowable working pressure (MAWP) of no less than 6.9 bar (100 psig). The receptacle has a maximum outside diameter of 311 mm (12.25 inches) and a maximum length of 660 mm (26 inches) excluding skirts. The receptacle has no bottom opening and the top openings must be securely and positively closed by valves, plugs, or similar devices capable of withstanding the MAWP of the receptacle without leakage. The inner packaging must be placed in the outer packaging and completely surrounded by a non-combustible and absorbent cushioning material (e.g. vermiculite) so as to prevent excessive shifting of the inner packaging and prevent the inner packaging from contacting the inner surfaces of the outer packaging under normal conditions of transport.

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b. OPERATIONAL CONTROLS -

(i) Each inner packaging shall not be filled to more than 60% of its capacity at ambient filling temperature, not to exceed 17 kilograms (37.5 pounds) of product. The remaining headspace must be filled with an inert gas to a pressure not exceeding 70 kPa (10 psig).

(ii) Transportation is only authorized between the manufacturing facility and a repackaging facility for purposes of repackaging the material for further transportation

(iii) Transportation must be by a contract carrier in a motor vehicle under the exclusive use of the applicant.

(iv) No other hazardous materials shall be transported in the motor vehicle.

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. Any person who receives a package covered by this special permit may offer it for transportation when it contains only a residue of the authorized material, provided no modification or change is made to the packaging and the package is transported only to the special permit holder in accordance with this special permit. Securing a closure on the package in accordance with the closure instructions prior to offering the package for transport does not constitute a modification or change to the packaging.

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

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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

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. 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

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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: HERZOGK/MOOREBen