

August 03, 2017



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 20235

EXPIRATION DATE: 2019-06-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Union Pacific Railroad Company Inc.
Omaha, NE
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the transportation in commerce of flatcars carrying bulk packagings containing certain Division 4.3 materials without restricting its ability to couple with another railcar while moving under its own momentum. 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.
 - c. Party status will not 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 § 174.83(c), 174.83(d), 174.83(e) in that flat cars bulk packagings containing certain Division 4.3 materials without restricting its ability to couple with another railcar while moving under its own momentum is not authorized, except as provided herein.

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5. BASIS: This special permit is based on the application of Union Pacific Railroad Company Inc. dated March 31, 2016, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Aluminum smelting by-products or Aluminum remelting by-products	4.3	UN3170	II
Aluminum smelting by-products or Aluminum remelting by-products	4.3	UN3170	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The packagings must meet the requirements specified in the B115 code referred to in the Special Provision column of the Hazardous Materials Table for aluminum smelting by-products. The bulk packagings are intermodal roll on/roll off bins designed to transport solid material. The bulk packagings may have two fixed ends or a fixed end and a door.

b. OPERATIONAL CONTROLS -

(i) The intermodal roll on/roll off bins are restricted to the coupling speed of 4 mph. If the 4 mph coupling speed is exceeded then Union Pacific must submit notification in writing to FRA's Office of Rail Safety.

(ii) Union Pacific's billing system shall add a code to each car record transporting these bulk packagings that shall be interpreted by the hump computer to allow the car to roll under its own momentum when released, and allow the next car to couple to it while moving under its own momentum. This code shall instruct those switching in a flat yard to handle it under shove to rest and cover.

(iii) Prior to being issued the relief requested, the UPRR "edit program" shall be modified and tested to include the relief granted in the special permit before any flat car transporting containers of SPL are allowed to move under their own momentum in a hump yard utilizing the provisions of the special permit.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit, but receives a packaging covered by this special permit, may reoffer it for transportation provided no modification or change is made to the packaging 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.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail Freight.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried with each train manifest.

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 William Schoonover
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: LM/TG