February 13, 2019

This emergency special permit authorizes the one-way transportation in commerce of certain materials in non-DOT specification cylinders to a safe site where the contents can be transferred to specification cylinders. 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.


4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.301(j), 173.22(a), 178.35(f) in that the non-DOT specification cylinders are not authorized for the hazardous materials.

5. BASIS: This emergency special permit is based on the application of EcoGreen Industries, LLC dated February 11,
February 13, 2019

2019, submitted in accordance with § 107.117 and the determination that it is necessary to protect life and property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

<table>
<thead>
<tr>
<th>Hazardous Material Description</th>
<th>Hazard Class/Division</th>
<th>Identification Number</th>
<th>Packing Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Butane see also Petroleum gases, liquefied</td>
<td>2.1</td>
<td>UN1011</td>
<td>N/A</td>
</tr>
<tr>
<td>Isobutane see also Petroleum gases, liquefied</td>
<td>2.1</td>
<td>UN1969</td>
<td>N/A</td>
</tr>
<tr>
<td>Propane, see also Petroleum gases, liquefied</td>
<td>2.1</td>
<td>UN1978</td>
<td>N/A</td>
</tr>
</tbody>
</table>

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are (13) non-DOT specification cylinders as described in the emergency application on file.

b. TESTING - Cylinders must be visually examined prior to shipment. Cylinders demonstrating leaking or damage may not be transported under this special permit.

c. OPERATIONAL CONTROLS:

(1) Transportation in commerce under this special permit is limited from the EcoGreen Industries, LLC facility located at Anderson, CA to the Blue Star Gas facility located at Anderson, CA for a distance not to exceed 2.2 miles.

(2) All packages shipped under this special permit must be transported by Blue Star Gas’ company-owned or leased vehicles operated by company employees, or by a contract carrier under the exclusive use of Blue Star Gas.
(3) The route used from EcoGreen Industries, LLC to Blue Star Gas must be a low public use route with the lowest impact to public safety as possible.

(4) The transport vehicle must be accompanied by a local fire department escort. The escort must be provided a copy of this special permit prior to transportation.

(5) No more than 4 one-way trips are authorized under this 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: 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 William Schoonover
Associate Administrator for Hazardous Materials Safety


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: TG/CWF