



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

March 10, 2023

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 20906
(SECOND REVISION)

EXPIRATION DATE: 2025-11-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Nouryon Functional Chemicals LLC
La Porte, TX
2. PURPOSE AND LIMITATION:
 - a. This special permit the transportation in commerce of the hazardous materials identified in paragraph 6 in certain UN1A1 drums and the reuse of those UN1A1 drums without leakproofness testing. 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. 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 § 173.28(b)(2) in that each drum need not be leakproofness tested prior to being refilled and § 173.181 in that a UN1A1 drum is authorized for the transport of organometallic substances, liquid, pyrophoric, water-reactive.
5. BASIS: This special permit is based on the application of Nouryon Functional Chemicals LLC dated October 25, 2022, submitted in accordance with § 107.105 and the public proceeding thereon.

Tracking Number: 2022105031

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Organometallic substance, liquid, water-reactive, flammable	4.3	UN3399	I
Organometallic substance, liquid, pyrophoric, water-reactive	4.2	UN3394	I
Organometallic substance, liquid, water-reactive	4.3	UN3398	I
Organometallic substance, liquid, pyrophoric	4.2	UN3392	I
Organometallic substance, solid, pyrophoric, water-reactive	4.2	UN3393	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Prescribed packaging is UN1A1 drums that meet the following additional requirements:

- (1) Bodies and heads must be made of carbon steel or 304 stainless steel with all seams made by fusion welding.
- (2) Drums made of carbon steel must have a minimum thickness of:
 - (i) 5.0 mm for a drum with a nominal capacity not exceeding 40 liters.
 - (ii) 6.0 mm for a drum with a nominal capacity greater than 40 liters but not exceeding 125 liters.
 - (iii) 7.0 mm for a drum with a nominal capacity greater than 125 liters but not exceeding 450 liters.
- (3) Drums made of stainless steel must have a minimum thickness of:
 - (i) 3.3 mm for a drum with a nominal capacity not exceeding 40 liters.

- (ii) 3.9 mm for a drum with a nominal capacity greater than 40 liters but not exceeding 125 liters.
- (iii) 4.5 mm for a drum with a nominal capacity greater than 125 liters but not exceeding 450 liters.

- (4) Drums must be marked with a minimum test pressure of 1800 kPa.
- (5) Closures must be grouped in the head of the drum and protected by a steel collar and cover.

b. TESTING:

- (1) Prior to First Use: Each drum must be subjected to a test pressure of not less than 1800 kPa without leakage or permanent deformation. Any drum showing evidence of leaking or permanent deformation must be rejected.
- (2) Periodic Testing: At intervals not exceeding 60 months, each drum must be subjected to a test pressure of not less than 1800 kPa without leakage or permanent deformation. Any drum showing evidence of leaking or permanent deformation must be rejected. After successfully passing the test, each package must be marked with:
 - (i) The date (month and year) on which the test was performed; and
 - (ii) The name and address or symbol of the person carrying out the test (if performed in the United States) or the State in which the test was carried out and an identification of the person performing the test as required by the Competent Authority of the State in which the test was carried out.
- (3) Prior to initial shipment of materials, the applicant shall provide the Office of Hazardous Materials Safety with test reports as described in § 178.601(l)(2) for the drums to be used in accordance with this special permit.

8. SPECIAL PROVISIONS:

- a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).
- b. 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.

- 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 drum must be marked “DOT-SP 20906” as required by § 172.301(c).
 - e. The leakproofness test specified in § 173.28(b)(2) is waived for drums used in accordance with the provisions of this special permit.
 - f. Only the grantee may fill or load packagings covered under the terms of this special permit with the hazardous material(s) identified in paragraph 6. above.
 - g. Any person who receives a package covered by this special permit may offer it for transportation after it last contained the residue of the hazardous material(s) in paragraph 6. above provided no modification or change is made to the packaging and it is offered for transportation to the grantee and in conformance with this special permit. Securing a closure on the packaging prior to offering the package for transportation under this paragraph 8.g. does not constitute a modification or change to the packaging.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel, or 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

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