

September 17, 2020



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 21107

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the transportation in commerce of ethanol-based hand sanitizer in non-bulk combination packages without certain markings. 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. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.301(a)(1) in that each package need not be marked with the proper shipping name; § 172.301(c) in that each package need not be marked with the special permit number; § 172.301(d) in that each package need not be marked with the name and address of

September 17, 2020

the consignor or consignee; and § 172.312(a)(2) in that each non-bulk combination package need not be marked with orientation markings.

5. BASIS: This emergency special permit is based on the application of Walmart Inc. dated August 28, 2020, submitted in accordance with § 107.117 a determination that it is necessary to prevent significant injury to persons or property.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name*	Hazard Class/ Division	Identification Number	Packing Group
Ethanol or Ethyl alcohol or Ethanol solutions or Ethyl alcohol solutions	3	UN1170	II

*Limited to ethanol-based hand sanitizers.

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Authorized packaging must be combination non-bulk packaging that complies with § 173.202 and the following:

(1) Inner packagings must be plastic bottles each with a volume not to exceed 34 ounces.

(2) Outer packaging must be a 4G fiberboard box that meets Packing Group II requirements.

b. OPERATIONAL CONTROLS:

(1) Transportation is only authorized one-way from the grantee's distribution centers to retail facilities.

(2) For transportation aboard motor vehicle, transportation is only authorized via private carrier or contract carrier under exclusive use to the grantee.

September 17, 2020

(3) For transportation aboard cargo vessel, the grantee must load the multi-modal container and seal the container. Transportation aboard cargo vessel is only authorized from the continental U.S. to Alaska and Hawaii.

(4) Transportation is only authorized for packages received by the grantee that were shipped aboard cargo vessel from China on or before September 7, 2020.

8. SPECIAL PROVISIONS:

a. 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.

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 and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel and 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.

September 17, 2020

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 Materials Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

September 17, 2020

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: NICKS