1. **GRANTEE:** Ipackchem Group Sas  
   Paris 8e Arrondissement, France  

   **U.S. AGENT:** Ten-E Packaging Services Inc.  
   Newport, MN

2. **PURPOSE AND LIMITATIONS:**

   a. This special permit authorizes the manufacture, mark, sale, and use of UN 4G specification packagings for the transport of nitric acid where the primary receptacles are not individually overpacked in tightly closed metal packagings. 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. In accordance with 49 CFR 107.107(a) party status may not be granted to a manufacturing permit. These packagings may be used in accordance with 49 CFR 173.22a.

3. **REGULATORY SYSTEM AFFECTED:** 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.158(f)(3) in that the primary receptacles must be individually overpacked in tightly closed metal packagings, except as provided herein.

5. BASIS: This special permit is based on the application of Ipackchem Group Sas dated November 24, 2020, submitted in accordance with § 107.105 and the public proceeding thereon and additional information dated April 13, 2021.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

<table>
<thead>
<tr>
<th>Hazardous Materials Description</th>
<th>Hazard Class/Division</th>
<th>Identification Number</th>
<th>Packing Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nitric acid other than red fuming, with not more than 70 percent nitric acid</td>
<td>8</td>
<td>UN2031</td>
<td>II</td>
</tr>
</tbody>
</table>

7. SAFETY CONTROL MEASURES:

   a. PACKAGING: Prescribed packaging consists of a doublewall fiberboard box with up to four (4) inner plastic square bottles of up to 2.5 liter nominal capacity as described in the test report: Centre Français de l’Emballage Agréé Certificat D’Agrement de Type D’Emballage Combine Numéro 14822A20 on file with the Permits and Approvals Branch.

      (i) Each inner plastic bottle must be blow-molded using IPACKCHEM UC011 HDPE resin as described in the application on file with the Approvals and Permits Branch.

      (ii) The inner bottles must be closed using tamper evident, 45 mm threaded caps as described in the above test report.

      (iii) The outer packaging may be closed by as described in the above test report.
b. OPERATIONAL CONTROLS: This special permit authorizes the shipment of the hazardous materials in the prescribed packagings without being overpacked in tightly closed metal packagings.

c. Marking: Each package must be plainly and durably marked “DOT-SP 21147” as required by § 172.301(c).

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. 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.

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 facility at which it is manufactured or (2) marked with a registration symbol designated by OHMSAPD for a specific manufacturing facility or (3) marked with the assigned identification symbol and number by a DOT recognized approval agency that identifies 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, cargo vessel, rail freight.
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:

- All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- 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.
- 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
Continuation of DOT-SP 21147 (1st Rev.)

May 21, 2021

Hazardous Materials Safety -- OHMSAPD, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:

[Signature]

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: MOOREBE/KAH