

January 19, 2021



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 21176

**EXPIRATION DATE: 2021-02-15**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Solvay Fluorides, LLC.  
Houston, TX
2. PURPOSE AND LIMITATION:
  - a. This emergency special permit authorizes the one-time transportation in commerce of three (3) cargo containers containing a Division 6.1 hazardous material that has been packaged and packed in accordance with the International Maritime Dangerous Goods (IMDG) Code regulations but not the Hazardous Materials Regulations. 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 § 173.227(c) in that the drums are double stacked in the transport containers.
5. BASIS: This emergency special permit is based on the application of Solvay Fluorides, LLC. dated January 14, 2021, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Toxic by inhalation liquid, flammable, n.o.s. with an LC50 lower than or equal to 1000 ml/m3 and saturated vapor concentration greater than or equal to 10 LC50	6.1	UN3384	I (Hazard Zone B)

7. SAFETY CONTROL MEASURES:a. PACKAGING:

(1) Prescribed packagings are sixty-eight (68) 6HA1 drums containing a toxic by inhalation liquid, N.O.S. (4-ethoxy-1,1,1-trifluoro-3-buten-2-one) packed inside of three (3) 20 foot cargo containers.

(2) Packagings have been packaged and packed in accordance with IMDG Code Packing Instruction P602 and double stacked in the cargo containers.

b. OPERATIONAL CONTROLS:

(1) Prior to shipment, each cargo container must be subjected to an air quality test, or other means, to verify that no drums are leaking.

(2) The grantee must use Landstar Express (DOT number: 438639), which currently holds a Hazardous Materials Safety Permit, as the carrier.

(3) Team drivers for each load must be used to eliminate any overnight stops.

(4) The grantee must employ a hazardous materials response contractor to escort the one-time shipment of cargo containers from the Port of Newark to Midland,

**January 19, 2021**

Michigan (approximately 725 miles).

(5) The shipment must be planned for off-peak times and must avoid congested areas.

(6) The applicant must notify the Office of Hazardous Materials Safety Approvals and Permits Division at [specialpermits@dot.gov](mailto:specialpermits@dot.gov) when the cargo containers arrive at the destination.

8. SPECIAL PROVISIONS: 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.
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

**January 19, 2021**

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 <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: Kenny Herzog