

March 30, 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 21202

**EXPIRATION DATE: 2021-08-31**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Lanxess Canada Co./cie  
Elmira, Ontario

U.S. AGENT: Lanxess Corporation  
Mapleton, IL

2. PURPOSE AND LIMITATION:

a. This special permit authorizes the one-time, one-way transportation in commerce of an organometallic liquid in a UN portable tank that has a defective liquid outlet valve. 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 § 173.24(f)(1) in that closures on packagings shall be so designed and closed to prevent release of hazardous materials during transportation and 173.32(e) in that any unsafe condition must be corrected prior to being offered for transportation.

Tracking Number: 2021034669

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5. BASIS: This special permit is based on the application of Lanxess Canada Co./cie dated March 15, 2021 submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Organometallic substance, liquid, pyrophoric, water- reactive	4.2	UN3394	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Prescribed packaging is a UN portable tank containing a liquid organometallic substance with a defective liquid outlet valve, which presents a small leak when in the open position.

b. OPERATIONAL CONTROLS:

- (1) The UN portable tank is authorized for a one-time, one-way movement from Lanxess, Elmira, ON to Lanxess, Mapleton, IL, USA.
- (2) The UN portable tank must be secured with a nitrogen blanket at a pressure not to exceed 5 psig.
- (3) The defective valve must be secured in the closed position.
- (4) A blind flange must be installed on the liquid valve outlet.
- (5) The valve must be tagged "Needing Repair".
- (6) The UN portable tank must be marked "DEFECTIVE TANK MOVING FOR REPAIR- DO NOT LOAD".

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8. SPECIAL PROVISIONS:

a. 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 or its contents and it is reoffered 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: Highway

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

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(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