

May 12, 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 21225

EXPIRATION DATE: 2021-10-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Praxair Distribution, Inc.
Danbury, CT
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the one-time, one-way transportation in commerce of dinitrogen tetroxide in multi-unit tank car tanks equipped with non-authorized pressure relief devices. 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 § 172.102 Special Provision B7 in that pressure relief devices are not authorized.
5. BASIS: This emergency special permit is based on the application of Praxair Distribution, Inc. dated April 20, 2021, submitted in accordance with § 107.117, and the determination it is necessary to prevent significant economic loss and 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
Dinitrogen tetroxide	2.3	UN1067	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING: The packages are three stainless steel DOT Specification 110 multi-unit tank car tanks (DOT-110) as described in the application on file with OHMSPA. The DOT-110 tank car tanks are equipped with fusible metal plugs for pressure relief which is not authorized under the Hazardous Materials Regulations for toxic gases classified as hazard zone A.

b. TESTING: Inspect all fusible metal plugs and closure for leaks prior to offering for transportation. Leaking tanks are not authorized for shipment under this special permit.

c. OPERATIONAL CONTROLS:

(1) This special permit authorizes the one-time, one-way transportation of three DOT Specification 110 multi-unit tank car tanks with Serial Numbers: CBCO 007-T-31006-40; CBCO 007-T-31006-21; and CBCO 007-T-31006-36; by motor vehicle. The shipment will originate from Praxair Distribution, Inc. Kingman, AZ and travel to the SET Environmental, Inc. facility in Houston, TX.

(2) The motor vehicle must have two Praxair Distribution, Inc. drivers to eliminate unnecessary stops.

(3) The drivers of the motor vehicle must be specifically trained in the hazards associated with the hazardous material being transported and be knowledgeable in the appropriate emergency response procedures.

May 12, 2021

(4) The drivers of the motor vehicle must have the capability to contact the appropriate emergency response organizations in the event of an accident or an emergency involving the hazardous materials being transported.

(5) No other hazardous material(s) will be transported with the three DOT 110 multi-unit tank car tanks.

(6) Transportation shall conform to the requirements part 385 of the Federal Motor Carrier Safety Regulations (FMCSR).

(7) A self-contained breathing apparatus will be on board of the vehicle in case a leak develops in one of the containers.

(8) Communication between the vehicle and Praxair Distribution, Inc. in Kingman, AZ will occur every hour during transit.

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: 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:

May 12, 2021

- 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

May 12, 2021

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.

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: LM/TG