



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

**March 11, 2024**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DOT-SP 21266  
(FIRST REVISION)

**EXPIRATION DATE: 2028-02-29**

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Richmond Pacific Railroad Corp  
Richmond, CA
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the use of electronic shipping paper information and train consist information when hazardous materials are transported by rail. 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 § 172.203(a) in that each shipping paper must bear the special permit number, § 174.24 in that a shipping paper must be received, and § 174.26 in that the train crew must have a document that reflects the current position in the train of each rail car containing a hazardous material, except as specified herein.
5. BASIS: This special permit is based on the application of Richmond Pacific Railroad Corp dated February 27, 2024, submitted in accordance with § 107.109.

Tracking Number: 2024024984

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Hazardous materials authorized to be transported aboard rail cars	As appropriate	As appropriate	I, II, and III

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Hazardous materials must be packaged properly in accordance with the applicable requirements of the HMR or in accordance with the terms of an applicable special permit or approval.

b. OPERATIONAL CONTROLS:

(1) The following information must be readily available by electronic means to the train crew during operations; and to Federal, State, or local government representatives (e.g., emergency responders) in the event of an accident or inspection:

(i) Shipping paper information required pursuant to 49 CFR Part 172, Subparts C and G.

(ii) The current position and identification numbers for all rail cars containing hazardous materials.

(iii) Any changes to position of railcars in the train consist must be updated electronically, in real-time, as railcars are added or removed from the train.

(2) Each train operating under the terms of this special permit must maintain onboard the following:

(i) Detailed instructions for providing the information in paragraph 7.b.(1) above to authorities, when requested, including electronic transmission (e-mail, air drop, etc.).

(ii) An electronic copy of this special permit on the electronic device.

- (3) More than one method of information exchange must be made available to ensure redundancy and account for potential mobile device limitations of the requesting authority. Upon initial notification of the incident to the agency having jurisdiction (AHJ) a copy of the train list must be offered to the AHJ.
- (4) When requested, information exchange must occur immediately.
- (5) Hazardous materials may only be transported under the terms of this special permit on a train operated by Richmond Pacific Railroad Corp.
- (6) Each Richmond Pacific Railroad Corp employee performing functions in relation to this special permit must receive specific training on how to electronically exchange train consist with authorities when requested. This includes train crews and other related personnel.
- (7) A current copy of this special permit must be maintained at any facility that is part of Richmond Pacific Railroad Corp's Hazardous Materials Instructions where trains operating under the terms of this special permit are handled.
- (8) In the event electronic communication is unavailable, one of the following communication options may be utilized to communicate to first responders.
  - (i) Conventional land line or facsimile.
  - (ii) An alternative communication method (e.g. land mobile radio communication, satellite phones) to provide up-to-date electronic shipping paper and train placement information.
  - (iii) Training for first responders along areas of the route without cellular service on the methods to be taken in an emergency to access the information on the electronic device when communication with an employee from the railroad is not possible.

c. REPORTING REQUIREMENTS:

- (1) Richmond Pacific Railroad Corp must electronically notify the Associate Administrator for Hazardous Materials Safety of any incidents involving operations under this special permit.
- (2) In the event of an incident, Richmond Pacific Railroad Corp must record instances where information is exchanged with authorities and maintain a report for up 12 months after the incident. Report(s) must be made available to authorities upon request. The report must include (at a minimum) the following:

- (i) Time/date of request.
- (ii) Estimated time between request and information exchange.
- (iii) Means of information exchange (e-mail, air drop, etc.).
- (iv) Requestor name.
- (v) Requestor position and agency.
- (vi) Phone number.
- (vii) Email Address.

(3) A consolidated report of requests for electronic train consists by authorities must be submitted to the Associate Administrator for Hazardous Materials Safety every six months via e-mail using the following e-mail address: [specialpermits@dot.gov](mailto:specialpermits@dot.gov). The consolidated report must include an evaluation of each occurrence where the information exchange failed and corrective actions to prevent reoccurrence.

- 8. SPECIAL PROVISIONS: 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: Rail freight.
- 10. MODAL REQUIREMENTS: See paragraph 7.b.(2)(ii).
- 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 (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-13, 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: KH