



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

February 13, 2023

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21353

EXPIRATION DATE: 2025-01-31

(FOR RENEWAL, SEE 49 CFR 107.109)

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

U.S. Agent: Lanxess Corporation
Shelton, CT
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of a defective UN T-21 specification portable tank, containing a residue of a Division 4.2 material, via motor vehicle. 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)(i), 173.32(e)(1).
5. BASIS: This special permit is based on the application of Lanxess Canada Co./cie dated March 16, 2022, submitted in accordance with § 107.105, and the public proceeding thereon.

Tracking Number: 2022034986

6. HAZARDOUS MATERIALS (49 CFR 172.101):

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

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Packaging prescribed is an UN specification T-21 portable tank, containing a residue of a Division 4.2 conforming to all the requirements of the HMR, except the liquid valve is defective.

b. OPERATIONAL CONTROLS:

(1) This special permit authorizes the one-time, one-way transportation of the Division 4.2 residue tank described above from Elmira, Ontario Canada to Mapleton, IL. There shall be no intermediate stops for loading or unloading of hazardous materials.

(2) The tank must have a pre-trip inspection for any additional leak(s) and other damage prior to being offered for transportation.

(3) All tank openings must be sealed with the blind flange plates re-installed on the liquid and vapor valve outlets. The valve outlets must be protected with a 5 psig nitrogen blanket to prevent air or moisture from entering the tank during transportation.

(4) The tank must be properly secured to prevent shifting under conditions normally incident to transportation.

(5) No other hazardous material(s) shall be transported with the UN T-21 specification portable tank.

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

c. MARKING:

(1) The defective liquid valve shall be tagged with the phrase “NEEDING REPAIR” after the pre-trip inspection in paragraph 7.b.(2) of this special permit is completed.

(2) The portable tank must be marked with the phrase “DEFECTIVE TANK MOVING FOR REPAIR– DO NOT LOAD” after the pre-trip inspection in paragraph 7.b.(2) is completed.

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:

- 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: TG