



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

November 05, 2024

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21408
(SECOND REVISION)

EXPIRATION DATE: 2028-09-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: GFS Chemicals, Inc.
Powell, OH
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of UN 4G specification packagings for the transport of nitric acid where the primary receptacles are not individually overpacked in tightly closed metal packagings. 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 § 173.158(f)(3) in that the inner packagings need not be individually overpacked in tightly closed metal packagings before being placed in the outer packaging.
5. BASIS: This special permit is based on the application of GFS Chemicals, Inc. dated September 27, 2024, submitted in accordance with § 107.109.

Tracking Number: 2024104080

6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous Materials Description | | | |
|---|---------------------------|-----------------------|---------------|
| Proper Shipping Name | Hazard Class/ Division | Identification Number | Packing Group |
| Nitric acid other than red fuming, with at least 65 percent, but not more than 70 percent nitric acid | 8 | UN2031 | II |

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Prescribed packaging consists of one of the following configurations:

- (i) A singlewall UN4G fiberboard box with one (1) inner round plastic bottle of up to 500 milliliter capacity as described in TEN-E Packaging Services, Inc. test report #22-MN20249, on file with the Office of Hazardous Materials Safety (OHMS) or with one (1) inner round plastic bottle up to 500 milliliter capacity manufactured by Ipackchem in accordance with the application on file with OHMS;
- (ii) A singlewall UN4G fiberboard box with one (1) inner square plastic bottle of up to 1 liter capacity as described in TEN-E Packaging Service, Inc. test report #22-MN20250 on file with OHMS; or
- (iii) A singlewall UN4G fiberboard box with one (1) inner square plastic bottle with handle of up to 2.5 liter capacity as described in TEN-E Packaging Services, Inc. test report #22-MN20251 on with OHMS or with one (1) inner square plastic bottle with handle up to 2.5 liter capacity manufactured by Ipackchem in accordance with the application on file with OHMS.
- (iv) Each inner plastic bottle must be blow-molded using PurePack Technology Corporation PPQ Resin or, for the Ipackchem inner plastic bottle, UC023 resin.
- (v) The inner bottles must be closed using tamper-evident 45 mm threaded caps as described in the above test reports.
- (vi) The outer packaging must be closed as described in the above test reports.

b. OPERATIONAL CONTROLS: This special permit authorizes the transportation of the hazardous materials in the prescribed packagings without the inner packagings being overpacked in tightly-closed metal packagings.

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.

c. Marking: Each package must be plainly and durably marked “DOT-SP 21408” as required by § 172.301(c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel, or 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: BB