

March 10, 2009



U.S. Department
of Transportation

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 7073
(TWELFTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain hazardous materials listed in paragraph 6 in non-DOT specification portable tanks. 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 development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.242(c), § 173.243(c), § 173.244(c), and § 174.63(c)(1) in that non-DOT Specification portable tanks are not authorized, except as specified herein.
5. BASIS: This special permit is based on the Pipeline and Hazardous Materials Safety Administration's (PHMSA) editorial review under § 107.121 initiated on December 4, 2008.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Flammable liquid, n.o.s. (contains Petroleum distillates)	3	UN1993	III
Flammable liquid, toxic, n.o.s. (Xylene; Methylcyclopentadienyl manganese tricarbonyl)	3	UN1992	III
Metal carbonyls, n.o.s. (Methylcyclopentadienyl manganese tricarbonyl)	6.1	UN3281	II
Motor fuel anti-knock mixtures	6.1	UN1649	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a non-DOT specification portable tank in an ISO frame having a design pressure of 6.9 bar (100 psi) gauge and constructed in accordance with Luther-Werke drawings 1-1.1465.01, Rev. C; 1-1.1465, Rev B; 2-1.1465.03 and related drawings on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). The tank must have a maximum water capacity of 10,000 liters (2,642 US gallons) and a maximum gross mass of 24,000 kilograms (52,910 pounds). The tank must be equivalent to a DOT Specification 51 portable tank in strength and efficiency. Any change in construction drawings must be approved by OHMSPA before the change is made. Tanks made in accordance with Luther-Werke drawing 1-1.1465, Rev. A must be retrofitted to comply with drawing 1-1.1465, Rev. B or Ethyl Corporation's drawings 432210300 Rev. 0; 452110100 Rev. 0, and 45110200 Rev. 0, no later than March 31, 1980.

b. OPERATIONAL CONTROLS -

(1) Each tank must be filled so that there is at least 2.5 percent outage at 50°C (122°F). In addition, the tank must not be liquid full at 55°C (131°F).

(2) Each tank's safety relief valve must be capable of discharging liquid at a rate of 189 liters (50 gallons) per minute at a pressure of 6.9 bar (100 psi) gauge.

8. SPECIAL PROVISIONS:

a. Each tank must be:

(i) visually inspected prior to each trip to ensure that it has not been damaged on the previous trip;

(ii) visually inspected at least once every 2-1/2 years as prescribed for IM 101 portable tanks in § 180.605(d) except that an internal inspection is not required;

(iii) reinspected once every five years in accordance with § 180.605(e), as prescribed for a DOT Specification 51 portable tank, except an internal inspection is not required provided an ultrasonic thickness test is performed; and

(iv) retested once every five years in accordance with § 180.605(e) as prescribed for a DOT Specification 51 portable tank. Ultrasonic thickness testing used as an alternative to an internal inspection, it must be performed in conformance with applicable procedures specified for thickness testing of cargo tanks as set forth in § 180.407(i).

b. Each tank must be plainly marked on both sides, near the middle, in letters at least two inches high, on a contrasting background, as follows: "DOT-SP 7073".

c. Each tank is subject to the provisions of § 174.63(b) and § 174.63(c), except as otherwise provided in this special permit.

d. 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.

e. 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, rail freight 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 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 the 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 Theodore L. Willke
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 http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: PTO/sln