

December 28, 2006



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 8520
(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 use of an alternative test method in determining whether a substance meets the definition of a Class 1.5D Explosive, Blasting, Type E. The "Vented Bomb Fire Test" may be used in place of the External Fire Test prescribed in § 173.58(b). This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - 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 § 173.58(b) in that the use of an alternative test method to determine whether a substance meets the definition of a Class 1.5D explosive is not authorized, except as specified herein.
5. BASIS: This special permit is based on the application from Orica USA, Inc. dated December 12, 2006, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|---------------------------------|------------------------|-----------------------|---------------|
| Proper Shipping Name | Hazard Class/ Division | Identification Number | Packing Group |
| Explosive, blasting, type E | 1.5D | UN0332 | II E-12 |

7. SAFETY CONTROL MEASURES: The "Vented Bomb Fire Test" is conducted in a vessel constructed from a Schedule 40 Steel Pipe Section, 1 foot in outer diameter and two feet in length, welded closed at the bottom and with a welded top cover having a 3-inch outer diameter Schedule 40 vent pipe approximately 6 inches high protruding from the center of the top cover. The vented pipe vessel is supported in a vertical position approximately 3 feet from the ground by three or four sturdy steel leg braces and constructed in accordance with the Drawing in Attachment 1 of the application.

The "Vented Bomb Fire Test" vessel is first filled with 100 lbs. of the substance to be tested and then subjected to a large fire positioned directly beneath the vessel. The fuel may be kerosene-soaked wood, flammable or combustible liquid in a burning pan or flammable gas from a set of burners. The fire must be large enough to completely engulf the test vessel. The durations of the fire must be such as to cause the material in the test vessel to burn or fume off completely, except for substances such as the oxides of aluminum or iron which are incombustible. The "Vented Bomb Fire Test" must be performed two times for each of the substances under evaluation.

Any substance which does not detonate during or shortly after either trial of the "Vented Bomb Fire Test", or does not deflagrate violently enough to rupture the test vessel into several pieces must be classed as a Class 1.5D Explosive, Blasting, Type E. Any substance which detonates during or shortly after either trial or deflagrates violently enough to rupture the test vessel in several pieces must not be classed as a Class 1.5D, Explosive, blasting, type E unless it passes the External Fire Test prescribed in § 173.58(b).

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8. SPECIAL PROVISIONS:

a. Packages permanently marked 'DOT-E 8520', prior to October 1, 2007 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packages marked on or after October 1, 2007 must be marked 'DOT-SP 8520'.

b. Shipping papers displaying 'DOT-E 8520' may continue to be used until October 1, 2007, provided the special permit remains valid.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, and cargo aircraft only.

10. MODAL REQUIREMENTS: No additional requirements other than as required in the HMR.

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

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(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 Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

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: kah