

October 24, 2006



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 9092
(SEVENTH REVISION)

EXPIRATION DATE: September 30, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Witt International Trucks
Midland, TX
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, mark, sale and use of six (6) non-DOT specification portable tanks manifolded together within a frame and securely mounted on a truck chassis for use in transporting various hazardous materials listed in paragraph 6. This special permit provides no relief from any Hazardous Materials Regulation 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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.242 in that non-DOT specification portable tanks are not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of Witt International Trucks dated October 12, 2006, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Flammable liquid, n.o.s. (vapor pressure of less than 16 psia at 130°F)	3	UN1993	I, II or III
Corrosive liquids, n.o.s.*	8	As appropriate	I, II or III

*If a material is listed by name in the Hazardous Materials Table then the technical name must be used instead of the n.o.s. entry.

7. SAFETY CONTROL MEASURES:

Packaging prescribed is a group of six(6), sixty(60) gallon capacity, non-DOT specification portable tanks manifolded together within a frame, having top and bottom openings, designed and constructed in accordance with Wes-Tex Equipment Company drawing, Chemical Tanks, Rev. 1, dated June 1, 1984, on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA) and in compliance with the following:

(1) Tanks must comply with DOT Specification 57 in all respects except:

(a) The line which reads "Specification identification" on the metal certification plate required by § 178.251-7 (in effect on October 1, 1990) must not be marked DOT Specification 57.

(b) A capacity of less than 110 gallons is authorized.

(c) The use of sight glasses is authorized. Each sight glass must have shut off valves, top and bottom and be provided with adequate protection to prevent accidental breakage.

8. SPECIAL PROVISIONS:

a. A test report documenting a satisfactory prototype test for this tank assembly design must be on file with the OHMSPA prior to the first shipment.

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- b. Hydrostatic test certificates for each tank must be maintained by the manufacturer or owner and made available upon request to any representative of the Department of Transportation.
- c. Offerors for transportation of hazardous materials specified in this special permit may use the packaging described in this special permit for the transportation of such hazardous materials so long as no modifications or changes are made to the packages, all terms of this special permit are complied with, and a copy of the current special permit is maintained at each facility from which such offering occurs.
- d. Each tank must be filled so as not to be liquid full at less than or equal to 130°F.
- e. Sight glass shut off valves must be secured during transportation.
- f. Tanks are only authorized when manifolded together in a group of six within a frame.
- g. Marking and placarding requirements specified for cargo tanks in 49 CFR Part 172, Subpart D and Subpart F, must be met. Also each manifolded unit must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-SP 9092".
- h. Each tank must be (i) visually inspected prior to each trip to ensure that it has not been damaged on the previous trip; and (ii) reinspected and retested once every two years in accordance with § 173.32(e) as prescribed for DOT Specification 57 portable tanks at minimum pressure of 10 psig.
- i. The prototype test on this tank assembly design will serve to qualify smaller tanks made of the same materials and thickness, by the same fabrication technique, and with identical supports and equivalent closures and other appurtenances. A drawing showing the arrangement of the smaller tanks must be on file with the OHMSPA prior to the first shipment.
- j. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the OHMSPA for a specific manufacturing facility.

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- k. A current copy of this special permit must be maintained at each manufacturing facility at which this packaging is manufactured and must be made available to a DOT representative upon request.
- l. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.
- m. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this special permit and the HMR.
- n. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
- o. Packagings permanently marked 'DOT-E 9092', 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. Packagings marked on or after October 1, 2007 must be marked 'DOT-SP 9092'.
- p. Shipping papers displaying 'DOT-E 9092' may continue to be used until October 1, 2007, provided the special permit remains valid.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle use 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, Parts 171-180.

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- 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 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 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: sln