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DEPARTMENT OF TRANSPORTATION

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

ACTIONS ON SPECIAL PERMIT APPLICATIONS; OFFICE OF HAZARDOUS MATERIALS SAFETY

AGENCY: Pipeline And Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice of actions on Special Permit Applications

SUMMARY: In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations (49 CFR Part 107, Subpart B), notice is hereby given of the actions on special permits applications in (November to November 2012). The mode of transportation involved are identified by a number in the "Nature of Application" portion of the table below as follows: 1 - Motor vehicle, 2 - Rail freight, 3 - Cargo vessel, 4 - Cargo aircraft only, 5 - Passenger-carrying aircraft. Application numbers prefixed by the letters EE represent applications for Emergency Special Permits. It should be noted that some of the sections cited were those in effect at the time certain special permits were issued.

Issued in Washington, DC, on December 17, 2012

Donald Burger

Chief, Special Permits and Approvals Branch

MODIFICATION SPECIAL PERMIT GRANTED

S.P Number	Applicant	Regulation(s)	Nature of Special Permit Thereof
15540-M	Andrew Airways, Inc. Kodiak, AK	49 CFR 175.310(c)	To modify the special permit originally issued on an emergency basis and make it permanent.
11989-M	Department of Defense Scott AFB, IL	49 CFR 172.504; 176.83(a), (b), (c)(2)(iii), (d) and (f)	To modify the special permit to authorize an additional Division 2.2 hazardous materials, modify the list of permitted guided bombs, packages, and operational controls.
14656-M	PurePak Technology Corporation Chandler, AZ	49 CFR 173.158(f)(3)	To modify the special permit to authorize a 2.6 liter capacity square plastic bottle

and to allow use of a
500 ml round plastic
bottle.

14188-M	IDQ Operating Inc. Tarrytown, NY	49 CFR 173.304(d), 173.306(a) (3) and 178.33a	To modify the special permit to reflect current statutes and regulations pertaining to consumer commodities.
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12396-M	National Aeronautics and Space Administration Washington, DC	49 CFR 180.209 and 173.302	To modify the special permit to authorize rail freight, cargo vessel, and passenger aircraft as additional modes of operation.
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NEW SPECIAL PERMIT GRANTED

S.P Number	Applicant	Regulation(s)	Nature of Special Permit Thereof
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15558-N	3M Company St. Paul, MN	49 CFR 173.212, 172.302(a) (c)	To authorize the manufacture, marking, sale, and use of service motor vehicles for use in transporting a corrosive solid material in alternative packaging. (modes 1, 3)
15626-N	EC Source Aviation, LLC Mesa, AZ	49 CFR 49 CFR Parts 172.101, Column (9b), 172.204(c) (3), 173.27(b) (2), 175.30(a) (1), 172.200, 172.300, and 172.400	To authorize the transportation in commerce of certain hazardous materials by cargo aircraft including by external load in remote areas without being subject to hazard communication requirements and quantity limitations where no other means of transportation is available. (modes 3, 4)
15628-N	E.I. du Pont de Nemours and	49 CFR 179.100-12(c)	To authorize the transportation in

Company
Wilmington, DE

commerce of hazardous
material in tank cars
with a manway housing
which allows for
opening from either of
two sides. (mode 2)

15658-N

Xcel Energy
Monticello, MN

49 CFR 173.427(b) (1),
173.465 (c), 173.465 (d)

To authorize the
transportation in
commerce of certain
Radioactive material
in alternative
packaging by
highway. A copy of
the environmental
assessment can be
located at
[http://www.regulations.gov#!documentDetail;D=PH MSA-2012-0165-0002](http://www.regulations.gov#!documentDetail;D=PH_MSA-2012-0165-0002) (mode 1)

15683-N

CESSCO
Johns Island,
SC

49 CFR 180.209 (g)

To authorize the
transportation in
commerce of certain
4BW240 cylinders that
have been tested using

an alternative testing
procedure. (mode 1)

15698-N	Timberline Helicopters, Inc. Sandpoint, ID	49 CFR 172.101 Column (9B); 172.204(c) (3); 173.27(b) (2); 175.30(a) (1); 172.200; 172.301(c); 175.75	To authorize the transportation in commerce of certain hazardous materials by Part 133 Rotorcraft External Load Operations, attached to or suspended from an aircraft, in remote areas of the US without meeting certain hazard communication and stowage requirements. (mode 4)
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15712-N	Air Transport International Little Rock, AR	49 CFR 172.101 Column (9B); 172.204(c) (3); 173.27(b) (2) (3); 175.30(a) (1)	To authorize the air transportation in commerce of certain explosives which are forbidden for shipment by cargo-only aircraft. (mode 4)
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15721-N	Hunter Well Science Arlington, TX	49 CFR 173.301(1); 173.304a; 173.304a(a); 173.304a(a) (2)	To authorize the transportation in commerce of a Division 2.2 gas in a non-DOT specification cylinder. (modes 1, 3, 4, 5)
15722-N	Raytheon Missile Systems Tucson, AZ	49 CFR 172.101 Column (9B); 172.204(c) (3); 173.27(b) (2) (3); 175.30(a) (1)	To authorize the air transportation in commerce of certain explosives which are forbidden for shipment by cargo-only aircraft. (mode 4)

EMERGENCY SPECIAL PERMIT GRANTED

S.P Number	Applicant	Regulation(s)	Nature of Special Permit Thereof
15748-N	Wal-Mart Stores, Inc. Bentonville, AR	49 CFR part 172, part 173 and part 177	To authorize the one-time, one-way transportation in commerce of certain hazardous materials

from damaged or
structurally-impaired
retail stores impacted
by Hurricane Sandy
to a temporary
warehousing facility
for approximately 10
miles by motor vehicle.
(mode 1)

15751-N	Williams Gas Pipeline White Have, PA	49 CFR 177.834(h), 178.700(c) (1)	To authorize the use of non-DOT specification metal refueling tanks containing Class 3 liquids and the on and off loading while the container remains on the truck. (mode 1)
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15752-N	Hurricane Sandy Response	49 CFR 173.242 and Part 172 Subpart C, Subpart D, Subpart F and Subpart I	To authorize the transportation in commerce of certain hazardous materials in support of the recovery and relief in response to Hurricane Sandy. (mode 1)
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15756-N	United States Environmental Protection Agency Region II Edison, NJ	49 CFR Parts 171-180	To authorize the transportation in commerce of certain hazardous materials in support of the recovery and relief efforts within the Hurricane Sandy disaster areas of New York and New Jersey under conditions that may not meet the Hazardous Materials Regulations. (mode 1)
15761-N	MSD Consumer Care, Inc. Whitehouse Station, NJ	49 CFR 171.2(g)	To authorize the transportation in commerce of approximately 101,000 DOT Specification 2P inner metal receptacles containing an aerosol sunscreen that were incorrectly marked "DOT-SP 14429." (mode 1)

MODIFICATION SPECIAL PERMIT WITHDRAWN

S.P Number	Applicant	Regulation(s)	Nature of Special Permit Thereof
14509-M	Pacific Consolidated Industries, LLC Riverside, CA	49 CFR 173.302(a)(1), 173.304a(a)(1), 175.3	To modify the special permit to authorize the transportation in commerce of cylinders containing oxidizing gases without a rigid outer packaging capable of passing the Flame Penetration and Resistance Test and the Thermal Resistance Test.

NEW SPECIAL PERMIT WITHDRAWN

S.P Number	Applicant	Regulation(s)	Nature of Special Permit Thereof
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15699-N	Flight Express	49 CFR 172.203(a);	To authorize the
	Incorporated	175.700(b)(2)(ii);	transportation in
	Orlando, FL	175.702(b)	commerce of radioactive
			material on cargo only
			aircraft when the
			combined transport
			index exceeds 50.0
			and/or the separation
			criteria cannot be met.
			(mode 4)

DENIED

15664-M Request by Pollux Aviation Ltd. Wasilla, AK November 09, 2012.

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