

December 11, 2008



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 14762

**EXPIRATION DATE: October 31, 2010**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: PPG Industries, Inc.  
Pittsburgh, PA
2. PURPOSE AND LIMITATION:
  - a This special permit authorizes the one-way transportation in commerce of the residue of certain paint and resin solutions for the purpose of cleaning in non-DOT specification bulk and non-bulk packagings. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - 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 §§ 172.301(c), 172.302(c) and 172.326 in that marking of non-bulk packagings and portable tanks is waived, § 172.504 in that placarding of bulk packages is waived and §§ 173.173 and 173.242 in that the use of non-DOT specification packagings is not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of PPG Industries, Inc. dated August 29, 2008 submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Paint including paint, lacquer, enamel, stain, shellac solutions, varnish, polish, liquid filler, and liquid lacquer base	3	UN1263	II,III
Resin solution, flammable	3	UN1866	II,III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are metal non-DOT specification non-bulk and bulk packagings ranging in capacity from 25 to 600 gallons used in the manufacturing process for paint and resin.

b. OPERATIONAL CONTROLS -

(i) Each package must be drained to the maximum extent possible prior to transportation and all outlets must be closed.

(ii) Transportation must be by private or contract motor carrier.

(iii) Transportation is authorized from 8201 100<sup>th</sup> St., Pleasant Prairies, WI to either a vessel cleaning facility at 840 Commerce Drive, Union Grove, WI or PPG's facility at 10800 S 13<sup>th</sup> St., Oak Creek, WI, a distance of less than 30 miles.

(iv) Packagings must be securely blocked and braced prior to transportation.

(v) Top openings in packagings that do not have lids must be securely shrink or stretch wrapped to prevent release of residue.

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(vi) The marking requirements specified in §§ 172.301(c), 172.302(c) and 172.326 are waived for each package; however, the transport vehicle must be marked with the identification number for each hazardous material transported in a bulk packaging in conformance with § 172.332.

(vii) The placarding requirements specified in § 172.504 are waived for each bulk package, however the transport vehicle must be properly placarded.

8. SPECIAL PROVISIONS: 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.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each 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 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](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: Hwang:dl