



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 20534

**EXPIRATION DATE: 2021-11-30**

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Energy Transport Solutions, LLC  
Doral, FL
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of methane, refrigerated liquid in DOT specification 113C120W tank cars. 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 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 172.101 Column (8C) in that tank cars are not an authorized packaging for methane, refrigerated liquid, except as specified herein.
5. BASIS: This special permit is based on the application of Energy Transport Solutions, LLC dated August 21, 2017 submitted in accordance with § 107.105 and the public proceeding thereon.

Tracking Number: 2017088295

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6. HAZARDOUS MATERIALS (49 CFR 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Methane, refrigerated liquid or Natural gas, refrigerated liquid	2.1	UN1972	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Authorized packagings are DOT specification 113C120W tank cars. Each tank car must have:

(1) a maximum permitted filling density (percent by weight) of 32.5%;

(2) a maximum operating pressure of 15 psig when offered for transportation; and

(3) remote sensing for detecting and reporting internal pressure, location, and leakage.

b. TESTING: Each tank car authorized by this special permit must be tested and inspected in accordance with 49 CFR Part 180.

c. OPERATIONAL CONTROLS:

(1) Each tank car must be operated in accordance with § 173.319 except as specified in paragraph 7.a. above.

(2) Shipments are authorized between Wyalusing, PA and Gibbstown, NJ, with no intermediate stops.

(3) Within 90 days after issuance, the grantee shall prepare and submit a plan providing per shipment quantities, timelines, and other actions to be taken for moving from single car shipments to multi-car shipments, and subsequently to unit trains (20 or more tank cars).

(4) Trains transporting 20 or more tank cars authorized under this special permit must be equipped

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and operated with a two-way end of train device as defined in 49 CFR § 232.5 or distributed power as defined in 49 CFR § 229.5.

(5) Prior to the initial shipment of a tank car under this special permit, the grantee must provide training to emergency response agencies that could be affected between the authorized origin and destination. The training shall conform to NFPA-472, including known hazards in emergencies involving the release of LNG, and emergency response methods to address an incident involving a train transporting LNG.

(6) While in transportation, the grantee must remotely monitor each tank car for pressure, location, and leaks.

8. SPECIAL PROVISIONS:

a. 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.

b. 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: Rail freight.

10. MODAL REQUIREMENTS: None as required 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:

a. 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 or shipment conducted under terms of this special permit.

b. Every three months, up to the first offering, the grantee must provide quarterly program updates describing:

- (1) the progress on manufacture and delivery of tank cars; and
- (2) the scheduled first shipment date.

This report should be submitted to [specialpermits@dot.gov](mailto:specialpermits@dot.gov) for review. The report should be provided to PHMSA by January 1<sup>st</sup>, April 1<sup>st</sup>, July 1<sup>st</sup>, and October 1<sup>st</sup>.

c. Once shipments have begun, the grantee must provide a report every three months documenting the number of tank cars shipped under the terms of this special permit since the previous report was submitted including details on conformance to the plan required in paragraph 7.c.(3). This report should be submitted to [specialpermits@dot.gov](mailto:specialpermits@dot.gov) for review. This report should be provided to PHMSA by January 15<sup>th</sup>, April 15<sup>th</sup>, July 15<sup>th</sup>, and October 15<sup>th</sup>.

Issued in Washington, D.C.:



William Schoonover  
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: DB