



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

January 09, 2023

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21231
(SECOND 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 reconditioned UN specification metal drums that have minimum steel thicknesses below those authorized. 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. 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 § 173.28(b)(4) in that reuse of metal drums with body and head thickness below 0.82 mm and 1.11 mm respectively is not authorized except as specified herein.
5. BASIS: This special permit is based on the application of Patrick J. Kelly Drums, Inc. dated February 1, 2021, submitted in accordance with § 107.123.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
All materials authorized for transportation in UN 1A1 and UN 1A2 steel drums	As appropriate	As appropriate	II and III

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Prescribed packagings are UN 1A1 and UN 1A2 steel drums reconditioned in accordance with § 173.28(c) of the HMR and exceed 100 L. Drums are marked with a nominal thickness of “1.0-0.8-1.0” in accordance with § 178.503(a)(9)(i).

(1) Drums must have a minimum top and bottom head thickness of 0.93 mm and a minimum body thickness of 0.73 mm.

(2) After cleaning to the base material of construction and prior to the application of an internal or external coating, each drum will be visually inspected. Any drum that exhibits visible pitting, significant reduction in material thickness, metal fatigue, damaged threads or closures, or other significant defects, must have its thickness measured in those areas to ensure it meets the minimum thickness requirements of this special permit or must be removed from hazardous materials service.

(3) A drum with a thickness measurement less than the minimum thicknesses listed in Paragraph 7.a.(1) must be rejected and must not be used in hazardous materials service.

(4) Reconditioned drums must be marked as follows:

(i) Closed head drums - a closed head drum must not be marked to a performance level exceeding Y/1.4/200; or

(ii) Open head drums – An open head drum must not be marked to a performance level exceeding Y/1.2/100 for liquids or Y/300/S for solids or inner packagings.

(iii) A drum must not be marked to a performance level exceeding that which was marked at the time of original manufacture.

(5) The grantee of this permit is responsible for ensuring the drums conform to the design standards of § 178.504 and the testing requirements of 49 CFR Part 178 Subpart M.

b. TESTING: Each reconditioned drum intended to contain liquids must successfully pass a leakproofness test in accordance with § 178.604, if required by §173.28(b)(2).

c. OPERATIONAL CONTROLS:

(1) A copy of this special permit must be provided to each person purchasing drums authorized under the terms of the special permit. The grantee must also provide notice of the additional reporting requirement of paragraph 8.d. of this special permit.

8. SPECIAL PROVISIONS:

a. 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.

b. A person who is not a holder of this special permit who receives a package covered by this special permit may offer or reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained at each facility where the packaging is reconditioned.

d. In addition to the reporting requirements of Paragraph 12 of this special permit, a person who offers hazardous materials for transportation in drums authorized by this special permit must notify the Office of Hazardous Materials Safety at specialpermits@dot.gov and the drum reconditioner of all known instances of leakage from the drums while in transportation. The report must include:

(1) The name or symbol of the reconditioner;

(2) The package marking required by § 178.503(c) for a reconditioned drum.

e. The grantee of this special permit must keep a monthly report of the following:

(1) The number of drums reconditioned under the terms of the special permit including:

- (i) If the drum is for liquids or solids;
 - (ii) The Packing Group;
 - (iii) The maximum specific gravity (if intended for liquids); and
 - (iv) The marked hydrostatic test pressure of the drum (if intended for liquids).
- (2) The number of drums subject to the leakproofness test indicated in paragraph 7.b.;
- (3) The number of drums that do not successfully pass the leakproofness test, including:
- (i) The Packing Group;
 - (ii) The maximum specific gravity (if intended for liquids); and
 - (iii) The marked hydrostatic test pressure of the drum (if intended for liquids).
- (4) The number of drums reported to the reconditioner under paragraph 8.d. of the special permit.
- (5) The report must be maintained for two years and be made available to representatives of the DOT upon request.
- f. Each drum reconditioned under the terms of this special permit must be plainly and durably marked "DOT-SP 21231".
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or 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.

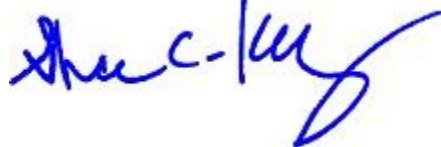
Each “Hazmat employee”, as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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 William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials 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 <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: DB

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