U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

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

MAR 2 4 2005

DOT-E 5948
(FOURTEENTH REVISION)

EXPIRATION DATE: September 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: The Department of Energy (DOE)
Washington, DC

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transport of packaged fissile and non-fissile transuranic radioactive waste material in ATMX/OHOX 600 railcar systems from the DOE site in Miamisburg, OH to the DOE Savannah River site. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risk associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.416 and 173.417(b) in that the packagings for the Type B quantities are not identified in these sections; and § 173.467 in that the ATMX/OHOX 600 railcar system performance was evaluated using a risk analysis and not the hypothetical accident conditions specified in 10 CFR Part 71.

5. BASIS: This exemption is based on the application of the Department of Energy dated September 25, 2003, submitted in accordance with § 107.109, and an additional application dated January 19, 2005, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Radioactive material, transported under special arrangement, *non fissile or fissile-excepted*	7	UN2919	N/A
Radioactive material, transported under special arrangement, fissile	7	UN3331	N/A

7. SAFETY CONTROL MEASURES:

a. Packaging - The ATMX/OHOX 600 system is comprised of: a specially designed steel railcar with a bolted-on steel cover; an interior that is compartmentalized by steel frames; closed steel boxes or bins positioned and shored in each compartment; and internal packagings in the boxes or bins that satisfy DOT Specification 7A performance standards with steel as the external packaging material.

b. Materials for Transport - The packaged materials are primarily solids such as lab wear, clothing, equipment, debris and trash, and other materials that were contaminated with transuranic radionuclides as a result of research and production activities conducted at the Mound National Laboratory. The materials authorized for transport are those described in DOE's application on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

c. Maintenance and Inspection - The ATMX/OHOX railcars used under this exemption must have been refurbished, maintained and inspected in accordance with the documentation identified in DOE's application on file with OHMEA.

8. SPECIAL PROVISIONS:

a. Operational Controls - This exemption is limited to the transportation of no more than fourteen (14) railcar loads of transuranic waste from the DOE facility in Miamisburg, Ohio to the DOE Savannah River site. DOE must provide OHMEA and the Hazardous Materials Division of the Federal Railroad Administration with a brief description of each shipment made under this exemption including a destination location, facility name and anticipated schedule no later than two weeks prior to each shipment.

b. Each railcar, in addition to other marking and placarding requirements, must be plainly marked "DOT-E 5948" and "Do Not Hump or Cut Off Car While in Motion" on each side, in letters and numerals at least two inches high on contrasting background.

c. The shipping paper for each ATMX/OHOX railcar used to transport material authorized by this exemption must contain the notation "Do Not Hump or Cut Off Car While in Motion".

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: Railcars being transported under this exemption may not be:

- Cut off while in motion;
- Coupled into with more force than is necessary to complete the coupling;
- Be struck by any car moving under its own momentum.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

- Registration required by § 107.601 et seq., when applicable.

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

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS:

a. In addition to the incident notification requirements of §§ 171.15, 171.16 and 174.750, the DOE must immediately notify the AAHMS of any abnormal occurrences in transport such as derailments or collisions.

b. If related to safety, DOE must report any equipment or material changes and information learned from the maintenance inspection programs and operations associated with the ATMX/OHOX railcars to AAHMS within 30 days.

Issued in Washington, D.C.:

MAR 2 4 2005

(DATE)

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: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: RB/alb

MAR 2 4 2005

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
CH2M Hill Mound, Inc. Miamisburg, OH	Sep 25, 2003	Oct 10, 2003	Sep 30, 2005

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety