U.S. Department
of Transportation

**Research and
Special Programs
Administration**

JUN 2 2000

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

DOT-E 12478

EXPIRATION DATE: June 30, 2000

1. GRANTEE: American Reclamation Group, LLC
Anchorage, AK

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time, round-trip transportation in commerce of the material described in paragraph 6 below, which is forbidden by cargo aircraft. 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 risks associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101, Hazardous Materials Table, column 9B; § 172.301(c) in that the marking requirement is waived; and § 173.27(c)(2).

5. BASIS: This emergency exemption is based on the application of American Reclamation Group, LLC, dated May 26, 2000, submitted in accordance with § 107.117 and a determination that it is necessary in order to protect the environment.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Proper Shipping Name/ Hazardous Materials Description | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Hydrogen peroxide aqueous solutions *with more than 40 percent but not more than 60 percent hydrogen peroxide (stabilized as necessary)* | 5.1 | UN2014 | II |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are twenty-eight (28), UN1A1 55-gallon drums containing hydrogen peroxide aqueous solution, to be transported by DC-6B cargo aircraft operated by Northern Air Cargo (Certificate number NACA-002A).

b. Transportation will originate in Anchorage Alaska to a final destination at the Illinois Creek Mine private airstrip.

c. Each drum containing the hydrogen peroxide aqueous solution must have a vented closure to prevent accumulation of internal pressure.

8. SPECIAL PROVISIONS: A current copy of this exemption must be maintained at the facility where the drums are offered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard the aircraft used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

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.

- 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 this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

JUN - 2 2000

Robert A. McGuire
Acting Associate Administrator for
Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: AM