U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

DEC 18 2001

DOT-E 12829
(FIRST REVISION)

EXPIRATION DATE: June 30, 2002

1. GRANTEE: Environmental Protection Agency (EPA) and persons conducting operations under the direction of government officials of the EPA.

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of hazardous materials in commerce from the disaster areas of Manhattan in New York City, New York to various staging areas for determination of their classification and further movement in accordance the applicable requirements of the Hazardous Materials Regulations (HMR). This exemption provides no relief from any regulation other than as specifically stated herein.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR, Parts 171 through 180

5. BASIS: This emergency exemption is based on a determination that it is necessary to avoid a risk of significant harm to persons or property in order to facilitate expedited removal of hazardous materials from disaster areas.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| **Proper shipping name -- Hazardous materials description** | **Hazard Class/ Division** | **Identi-fication Number** | **Packing Group** |
|---|---|---|---|
| Hazardous Materials listed in the 49 CFR other than explosives or radioactive materials | Class 2, 3, 4, 5, 6, 8, 9 | As Applicable | As Applicable |

7. SAFETY CONTROL MEASURES: None, other than requirements imposed by the EPA and their designees.

8. SPECIAL PROVISIONS: Operations under this exemption are limited to those persons under the direction of the EPA or the City of New York and their designees.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicles, rail freight, cargo vessel, cargo aircraft only.

10. MODAL REQUIREMENTS: None.

Issued in Washington, D.C.:

DEC 18 2001

Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

(DATE)

PO: RRP