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

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

MAR 6 2002

DOT-E 12947

EXPIRATION DATE: May 31, 2002

1. GRANTEE: Safety Kleen, Inc.
Columbia, SC

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time, one-way transportation in commerce of waste butyl mercaptan in a non-DOT specification storage tank. 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 § 173.202 in that a non-DOT specification package is not authorized except as specified herein.

5. BASIS: This emergency exemption is based on the application of Safety Kleen, Inc. dated February 27, 2002 and additional information dated March 4, 2002, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|---|---|---|---|
| **Proper shipping name** | **Hazard Class/ Division** | **Identi- fication Number** | **Packing Group** |
| Waste butyl mercaptan | 3 | UN2347 | PGII |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification tank with a capacity of 57 gallons. The tank was manufactured by Peerless Manufacturing Co. and bears manufacturers serial number serial number 5720. The tank is as shown on Peerless Manufacturing Co. 4A-12619 on file with the Office of Hazardous Materials Exemptions and Approvals. The tank is designed and "U" stamped in accordance with ASME Code and meets the following specifications:

(1) Dimensions: Height-59.5 inches; Diameter-30.0 inches; Thickness- 0.320 inch;

(2) Design Pressure-300 psig; Test Pressure-450 psig;

(3) Tank is not fitted with a pressure relief device.

b. OPERATIONAL CONTROLS -

(1) Transportation must be via a motor vehicle owned and operated by Safety Kleen, Inc. between La Crosse, WI and Pecatonica, IL.

(2) Prior to transport all openings will be closed and secured.

(3) The storage tank will be securely fastened to a wooden pallet for transportation.

(4) The tank will be secured via straps while in the vehicle to prevent movement in transportation.

(5) Emergency response information provided with the shipment and available via an emergency response telephone number must indicate that the tank is not fitted with pressure relief devices and provide appropriate guidance for exposure to fire.

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

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard the motor vehicle used to transport the package covered by this exemption.

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.:

3-6-02

Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, 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: DBurger