U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

FEB 1 1 2005

DOT-E 14147

EXPIRATION DATE: April 30, 2005

1. GRANTEE: Clean Harbors Environmental Services, Inc.
Greenbrier, TN

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time, one-way transportation in commerce of a waste Division 4.3 material in a non-DOT specification bulk storage tank by motor vehicle for disposal. 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 § 173.244 in that the use of non-DOT specification packaging is not authorized, except as specified herein.

5. BASIS: This emergency exemption is based on the application of Clean Harbors Environmental Services, Inc., dated February 10, 2005, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

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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, Organometallic compound, water reactive, flammable (contains aluminum alkyl, kerosene) | 4.3 | UN3207 | I |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a non-DOT specification bulk storage tank with a design pressure of 250 psig manufactured by Southwest Fabricating Welding Company bearing manufacturer serial number 41487-64. The tank has a water capacity of 500 U.S. gallons and the tare weight of the tank and attached piping is approximately 1600 pounds.

b. OPERATIONAL CONTROLS -

(1) Prior to transportation, the tank must:

(i) be emptied to the extent practicable and contain only residue which can not be pumped out of the tank;

(ii) contain less than 1,000 pounds of residue and the residue may not exceed 20% of the tanks volume;

(iii) have all opening flanged or securely closed; and

(iv) be given an external visual examination looking for evidence of dents, cuts, gouges, corroded or abraded areas, leakage, or any condition that might render it unsafe for transportation.

(2) Authorization is for the one-time, one-way transportation from Baton Rouge, LA to the Clean Harbors facility in Thorold, Ontario, Canada for disposal.

(3) The tank must be transported by a private or contract carrier in exclusive use of Clean Harbors Environmental Services, Inc.

(4) The tank must be securely blocked and braced during highway transportation in conformance with the requirements of §§ 393.100 - 393.106.

(5) Emergency response information provided with the shipment and available via an emergency response telephone number must indicate that the 1,000 gallon capacity storage tank is not fitted with pressure relief devices and provide appropriate guidance in case of a fire.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

b. The tank must be plainly and durably marked "DOT-E 14147" as specified in § 172.302(b) and (c).

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 packages 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.

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

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption 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 exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:

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(DATE)

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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.

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: DL/CHHochman