

May 5, 2006



U.S. Department
of Transportation

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

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 11075
(EIGHTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Tronox LLC
West Chicago, IL
(Former Grantee: Kerr-McGee Chemical LLC)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation of soils and debris contaminated with low levels of radioactive material (derived from natural thorium and uranium ores) in bulk closed rail cars from West Chicago, IL to a site near Clive, UT. This special permit provides relief from determining the class of materials in each rail car and from shipping paper, marking, labeling, placarding and notification requirements specified in the hazardous materials regulations. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 171.15(b)(2) and 171.16 in that immediate telephonic and follow-up written notifications to DOT of released materials are required only if specified amounts are exceeded; §§ 172.202, 172.203(d) and 174.24 in that the required shipping documents need not contain the identification, hazard class and full description

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of the material in the rail cars; Part 172, Subpart D and Subpart F, and § 174.59 in that the information normally provided by marking and placarding is provided by the special marking on the rail cars required by the special permit; § 173.22(a)(1) in that the material in each rail car is not classed and offered in accordance with applicable provisions of Part 172 and Part 173; § 173.427 with respect to those requirements for the transport of LSA-I material for which alternative provisions are included in this special permit; §§ 173.443(d) and 174.715 in that contamination controls for the dedicated-use rail cars are specified in the special permit; § 174.750 in that requirements for shipper and carrier reporting of releases are specified in the special permit; and § 172.602 in that alternate emergency response information is addressed in Section 8.a of this special permit.

5. BASIS: This special permit is based on the application of Tronox LLC dated December 15, 2005, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/Division	Identifi- cation Number	Packing Group
Radioactive material, low specific activity (LSA-I) <i>non fissile or fissile-excepted</i>	Class 7	UN2912	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The closed vehicles used for the transport of the contaminated materials must be gondola rail cars fitted with durable covers as described in the Kerr-McGee and Tronox LLC documents on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). The rail cars may not permit release of contents while in transportation.

- b. TESTING AND CLASSIFICATION:

(1) Tronox LLC must have, and must make available to the AAHMS on request, radioassay data that identify the radionuclides and the amount of radioactivity for all the

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materials transported under this special permit. However, each rail car load does not require classification.

(2) The radiation levels on the external surface of the rail cars transporting the materials to the disposal site must not exceed 0.1 mSv/h (10 mrem/h).

c. MARKING AND PLACARDING - The marking and placarding required for rail cars carrying radioactive material LSA-I is waived. Instead, each rail car must have a 30 cm x 45 cm (12 in x 18 in) poster or stencil that is readily visible, on opposite sides of the car in a background color contrasting the color of the car with the following information:

"LOW HAZARD, LOW LEVEL RADIOACTIVE MATERIALS IN ORE TAILINGS AND SOILS/DEBRIS"

From clean-up program regulated by Illinois Division of Nuclear Safety.

Transported under U.S. Dept. of Transportation Special Permit DOT-SP 11075.

For information or emergency call CHEMTREC at 1-800-424-9300."

d. SHIPPING DOCUMENTS - The information on shipping documents does not need to satisfy §§ 172.202, 172.203(d), and 172.602. Carriers are exempted from § 174.24 to the extent addressed in paragraph 4 of this special permit. The information provided by Tronox LLC and carried with the shipments must include, at a minimum, the following statements:

- Ore tailings, soils and debris containing small amounts of radioactive material with low radiological hazards.
- Shipment is under DOT-SP 11075.
- In case of emergencies, fire fighting and first aid actions may be performed without concern for the low radiological hazard of the material.
- In case of emergencies call CHEMTREC at 1-800-424-9300.

8. SPECIAL PROVISIONS:

a. Tronox LLC must prepare documents that contain, at a minimum, the following information:

- o a description of the physical and radiological properties of the material being transported;
- o a description of appropriate actions by train crews under normal and accident conditions, emergency response actions to be taken by first responders (without radiological training), and emergency response actions to be taken by HAZMAT responders (with radiological training);
- o a listing of the state radiation authorities for the states along the rail route who have the expertise and responsibility for dealing with transport of radioactive material; and
- o name, address and phone number of the cognizant, responsible individual at Tronox LLC.

b. Copies of the information described in paragraph (a) must be provided to: CHEMTREC, the management of the rail carrier, each of the state radiation authorities along the route, and the OHMSPA.

c. Tronox LLC must review the information described in paragraph (a) with the Illinois Division of Nuclear Safety before it is distributed as specified in paragraph 8.(b).

d. Packagings permanently marked 'DOT-E 11075', prior to October 1, 2007 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packagings marked on or after October 1, 2007 must be marked 'DOT-SP 11075'.

e. Shipping papers displaying 'DOT-E 11075' may continue to be used until October 1, 2007, provided the special permit remains valid.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS:

a. The rail carrier is exempted from carrying, in the locomotive, a current copy of this special permit and the shipping papers describing materials carried under this special permit, except as provided in Section 7.d.

b. During transport the rail car covers must be in place and the outside surfaces must be free of visual evidence of contaminated material. During return to West Chicago the empty rail cars may contain some residue of material from the last shipment.

c. Before rail cars are released from use under this special permit, Tronox LLC must remove or obliterate the markings on the rail cars identified in paragraph 7(c) and must decontaminate the rail cars to levels as low as reasonably achievable and within the limits in § 173.443(a).

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

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

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

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

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Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS:

a. For reporting spills or releases of materials covered by this special permit, rail carriers are exempt from prompt reporting to DOT as stated in §§ 171.15(b)(2) and 171.16.

b. For reporting of serious occurrences in transport not involving releases of material, i.e., occurrences described by § 171.15(b)(1), the occurrences must be promptly reported to DOT as required by that section and § 171.16.

c. For all incidents in transport involving identified releases of material from the rail car during transport the rail carrier, at the earliest practical moment, must notify Tronox LLC of the occurrence. If the quantity spilled or released exceeds 1,500 lbs, or a reportable quantity (§ 172.101, Appendix A, Table 2), Tronox LLC must report the occurrence as required to the DOT via the National Response Center as would normally be required of the carrier under §§ 171.15 and 171.16.

Issued in Washington, D.C.:



for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

May 5, 2006

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

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

PO: RB/sln