1. **GRANTEE:** EQ-The Environmental Quality Company
   Wayne, MI

2. **PURPOSE AND LIMITATION:** This emergency exemption authorizes
   the one-time transportation in commerce of the material
   described in paragraph 6 below, in eight over-loaded gondola
   rail cars. This exemption provides no relief from any
   Hazardous Materials Regulation (HMR) other than as
   specifically stated herein.


4. **REGULATIONS FROM WHICH EXEMPTED:** 49 CFR § 173.24b (d)(2)
   and § 173.26 in that the lading of the rail cars exceeds the
   maximum weight of lading marked on the specification plates.

5. **BASIS:** This emergency exemption is based on the application
   of EQ-The Environmental Quality Company dated February 26,
   1999, submitted in accordance with § 107.117 and a
   determination that it is necessary in order to protect life
   and property, and a subsequent letter dated March 5, 1999.

6. **HAZARDOUS MATERIALS (49 CFR § 172.101):**

<table>
<thead>
<tr>
<th>Proper Shipping Name/ Hazardous Materials Description</th>
<th>Hazard Class/ Identification Number</th>
<th>Packing Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hazardous waste, solid, n.o.s.</td>
<td>9 NA3077</td>
<td>III</td>
</tr>
</tbody>
</table>

   For the n.o.s. entry above, the requirements of § 172.203(k) must
   be met.

7. **SAFETY CONTROL MEASURES:** Packaging prescribed is authorized
   in § 173.240(a) for certain low hazard solid materials. The
   over-loaded rail cars' numbers are: CSXT 705169, CSXT
   705303, CSXT 705113, CSXT 705233, CSXT 701230, CSXT 705322,
   CSXT 497695, CSXT 705124, CSXT 702010 and CSXT 481805.
8. **SPECIAL PROVISIONS:** "DOT-E 12231" must appear on the shipping papers.

9. **MODES OF TRANSPORTATION AUTHORIZED:** Rail freight.

10. **MODAL REQUIREMENTS:** None as a requirement of 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:

   - 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person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.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 at Washington, D.C.:

[Signature]

for Alan I. Roberts
Associate Administrator for Hazardous Materials Safety

3/8/99 (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.

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