JUL 21 1999

U.S. Department of Transportation

**Research and Special Programs Administration**

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

DOT-E 12302
(SECOND REVISION)

EXPIRATION DATE: November 30, 1999

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Safety-Kleen (BDT), Inc.
(Formerly: Safety-Kleen Services, Inc.)
Columbia, SC

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-way, one-time transportation in commerce of non-DOT specification storage tanks containing solid sodium and solid lithium, Division 4.3 materials. 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 §§ 173.211 and 173.244 in that non-DOT specification packaging is authorized.

5. BASIS: This emergency exemption is based on the application of Safety-Kleen (BDT), Inc. dated June 28, 1999, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property. An additional dated July 20 & 21, 1999 was also submitted.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Proper shipping name -- Hazardous materials description | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Sodium | 4.3 | UN1428 | I |
| Lithium | 4.3 | UN1415 | I |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are non-DOT specification storage tanks, constructed from stainless steel (Types 304 and 316) which conform to the drawings in Safety-Kleen's application on file with the Office of Hazardous Materials Exemptions and Approvals. The dimensions and weights of tanks are as follow:

| Tank | Length | Diameter | Tank Weight | Product Weight |
|---|---|---|---|---|
| #1 | 10.0 ft | 3.0 ft | 2082 lbs | 4000 lbs |
| #2 | 3.7 ft | 2.5 ft | 630 lbs | 500 lbs |
| #3 | 4.2 ft | 1.5 ft | 575 lbs | 300 lbs |
| #4 | 4.6 ft | 1.5 ft | 200 lbs | 300 lbs |
| #5 | 17.6 ft | 3.0 ft | 2640 lbs | 8000 lbs |
| #6 | 3.6 ft | 2.8 ft | 1255 lbs | 500 lbs |
| #7 | 6.0 ft | 1.5 ft | 395 lbs | 350 lbs |
| #8 | 4.3 ft | 1.7 ft | 280 lbs | 250 lbs |
| #9 | 3.7 ft | 1.5 ft | 400 lbs | 375 lbs |
| #10 | 4.3 ft | 1.5 ft | 300 lbs | 250 lbs |

b. OPERATIONAL CONTROLS -

(1) The sodium or lithium must be fused solid and completely covered by an inert gas blanket before shipment.

(2) Authorization is for a one-time one-way transportation between Argonne, IL and Clarence, NY. Tanks must be shipped on an exclusive use, placarded motor vehicle.

(3) Each storage tank must be secured to a flatbed trailer. Each storage tank tie down assembly must conform to the requirements of §§ 393.100 through 393.106.

(4) Emergency response information provided with the shipment and available via an emergency response telephone number must indicate that the receptacles are 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. Each storage tank must be marked "DOT-E 12302" as specified in §§172.301(b) and (c) or 172.301(b) and (c) as appropriate.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each 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.
- 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.

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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.:

JUL 21 1999

for J. Suzanne Hedgepeth

Alan I. Roberts
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.

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, SW, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

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