U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 1 7 2004

DOT-E 13522

EXPIRATION DATE: May 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Green-Port Environmental Managers, Ltd.
Brampton, Ontario
(U.S. Agent: NE Cylinder Disposal
Venice Center, NY)

2. PURPOSE AND LIMITATIONS:

a. This exemption authorizes the one-way transportation for recycling and disposal of DOT Specification 39 cylinders containing only the residue of liquefied petroleum gas. 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. The safety analyses did not consider the hazards and risks associated with uses not associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.301(a)(9) in that a bulk packaging is not authorized as a strong outer packaging, except as specified herein.

5. BASIS: This exemption is based on the application of Green-Port Environmental Managers, Ltd. dated February 4, 2004, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Petroleum gases, liquefied	2.1	UN1075	N/A
Propane	2.1	UN1978	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are DOT Specification 39 cylinders with a maximum capacity of two liters, containing only the residue of liquefied petroleum gas. The cylinders must be placed into a 40 cubic yard roll-on/roll-off bulk container. The bulk container must be securely covered by a tarp.

b. OPERATIONAL CONTROLS -

i. Shipment is only authorized from Green-Port Environmental Managers Ltd., Ontario Canada to NE Cylinder Disposal in Venice Center, NY.

ii. The cylinders may be shipped only for the purpose of purging the residual gas and recycling the steel in the cylinders.

iii. The maximum quantity of liquefied petroleum gas in any one outer bulk container may not exceed 500 kg.

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

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.
- 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: 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued in Washington, D.C.

JUN 1 7 2004
(DATE)

for 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: Burger:dl