

May 7, 2009



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 14767

(FOR RENEWAL, SEE 49 CFR § 107.109)

**EXPIRATION DATE: April 30, 2010**

1. GRANTEE: Commodore Applied Technologies, Inc.  
Broomfield, CO
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the one-time transportation in commerce of approximately two pounds of natural uranium hexafluoride in an ICC 4B240ET cylinder. During transportation, the cylinder will be contained within a DOT 7A Type A package as defined in 49 CFR 178.350 and transported by exclusive use motor vehicle. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
  - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
  - 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 § 173.420(a), (b) and (c) in that the natural uranium hexafluoride is in a cylinder which has not been proven to comply with requirements of American National Standard N14.1 and within

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packaging that has been analyzed against Type H(U) standards.

5. BASIS: This special permit is based on the application of Commodore Applied Technologies, Inc. dated August 25, 2008 submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| <b>Hazardous Materials Description</b>  |                               |                              |                      |
|---|-------------------------------|------------------------------|----------------------|
| <b>Proper Shipping Name</b>   | <b>Hazard Class/ Division</b> | <b>Identification Number</b> | <b>Packing Group</b> |
| <b>Radioactive material, transported under special arrangement, non fissile or fissile excepted</b> | <b>7</b>                      | <b>UN2919</b>                | <b>N/A</b>           |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The uranium hexafluoride must be transported in a ICC 4B240ET cylinder placed inside a DOT Specification 7A Type A package. The cylinder must be secured in an upright position within the package with hardened polyurethane foam.

- b. OPERATIONAL CONTROLS -

(i) One time, one way transportation from the Commodore Applied Technologies, Inc. leased property at Lovelace Respiratory Research Institute in Albuquerque, NM to the Southwest Research Institute in San Antonio, TX is authorized.

(ii) Transport must be in a closed, sole-use vehicle which is operated by a trained driver who holds a commercial driver's license with hazardous materials endorsement.

(iii) The package must be securely blocked and braced within the transport vehicle.

(iv) The driver motor vehicle operation under this permit must be provided with written procedures to be followed and

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person(s) to be contacted in case of incident or accident during transport.

8. SPECIAL PROVISIONS: A current copy of this special permit must be maintained at each facility where the package is offered for transportation.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard the motor vehicle used to transport the package covered by this special permit.
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.

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

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permit to be granted up to two years for new special permits and up to four years for renewals.

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

Issued in Washington, D.C.:



for Theodore L. Willke  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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](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: BOYLE