



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

**August 10, 2022**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DOT-SP 21423

**EXPIRATION DATE: 2023-01-31**

(FOR RENEWAL, SEE 49 CFR 107.109)

1. **GRANTEE:** US Environmental Protection Agency Region 6  
Dallas, TX
2. **PURPOSE AND LIMITATIONS:**
  - a. This emergency special permit authorizes the transportation in commerce of hazardous materials in support of the recovery and relief operations from and within New Mexico disaster areas under conditions that may not meet the Hazardous Materials Regulations (HMR). This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not 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 Parts 171-180 in that compliance with the HMR is required, except as specified herein.
5. **BASIS:** This special permit is based on the application of the Environmental Protection Agency Region 6 dated August 9, 2022 submitted in accordance with § 107.117 and the determination that it is necessary to protect life and property.

Tracking Number: 2022084456

6. HAZARDOUS MATERIALS (49 CFR 172.101):

<b>Hazardous Material Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Hazardous Materials listed in the HMR other than radioactive materials	Class 1, 2, 3, 4, 5, 6, 8 or 9	As applicable	As applicable

7. SAFETY CONTROL MEASURES:

a. Compliance with the HMR is required to the extent practicable. When compliance with the HMR is not practicable, shipments may be offered or transported under alternative safety requirements imposed by the grantee.

b. Specifically, hazardous materials must be segregated and transported utilizing appropriate safety practices to designated collection facilities. Relief from the HMR shipping paper and hazard communication requirements will apply only for Collection Task Forces which will be performing recon, field screening and emergency packing/segregation in the field, up to the point of delivery to designated collection facilities.

c. Vehicles loaded by field teams will use the Dangerous placard and/or load-specific hazard class placards and will be escorted to collection facilities by grantee representatives.

d. All applicable HMR provisions (including UN specification packaging, lab-pack requirements, hazard communication and shipping paper requirements) will apply at designated collection centers.

8. SPECIAL PROVISIONS: Operations under this special permit are limited to New Mexico State, local, tribal and Federal Government officials and persons conducting recovery and relief operations under the direction of those government officials from and within New Mexico disaster areas.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages 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 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 William Schoonover  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building PHH-13, 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 <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: