



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

**October 24, 2023**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DOT-SP 21653

**EXPIRATION DATE: 2024-01-31**

(FOR RENEWAL, SEE 49 CFR 107.109)

1. **GRANTEE:** Environmental Protection Agency Region 4  
Atlanta, GA
2. **PURPOSE AND LIMITATIONS:**
  - a. This emergency special permit authorizes the transportation in commerce of unclassified waste materials to a staging area where the materials will be classified and brought into compliance with the Hazardous Materials Regulations (HMR). This special permit provides no relief from the HMR other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - 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. 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 emergency special permit is based on the application of Environmental Protection Agency dated October 08, 2023, submitted in accordance with § 107.117 and the determination it was necessary to protect life and property.

Tracking Number: 2023104402

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. PACKAGING:

(1) Waste materials must be placed into 25 cubic yard roll-off containers with no fewer than two layers of 6-mil polyethylene liners. A layer of neutralizing agent (limestone fines) must be placed in the container prior to the waste materials and the containers filled no more than halfway.

(2) Containers must be sealed using the “burrito method” (i.e., the materials placed in the liners and the liners individually folded over and secured with tape) and the container’s cover put in place prior to being loaded onto a standard roll-off truck.

b. OPERATIONAL CONTROLS:

(1) Prior to transportation, all materials must be deactivated, reacted, or neutralized and any liquids absorbed. Air monitoring equipment and visual assessments must be used to determine that the reactions are complete, and no further release of gas will occur prior to movement.

(2) Transportation is authorized from 6211 and 6213 Applegate Lane Louisville, KY to the Derek R. Guthrie Wastewater Treatment Plant at 11601 Lower River Road, Louisville, KY 40272 using the route specified in the Environmental Protection Agencies application dated October 8, 2023, and on file with the Office of Hazardous Materials Safety.

(3) Transportation must be conducted by Purdue Environmental Contracting Services (PEECO) using hazmat endorsed drivers with an “escort” by the Federal On-Scene Coordinator (FOSC) or KDEP response vehicles.

- (4) A spill cleanup plan must be maintained by the FOSC during all transportation.
  - (5) Only stable materials may be transported.
  - (6) Not more than twenty shipments are authorized under the terms of this special permit.
8. SPECIAL PROVISIONS: Operations under this special permit are limited to state, local, tribal and Federal Government officials and persons conducting operations under the direction of those government officials.
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: ae