

February 3, 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 13192
(SIXTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain hazardous materials in lab packs and non-bulk packages, and provides relief from segregation requirements and certain marking requirements subject to the packaging and safety measures prescribed herein. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. This revision supersedes all previously issued 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. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.203(i)(2) in that the flashpoint must be identified on shipping papers, § 172.301(c) in that the special permit number must be marked on each package, 173.12(b)(1) in that cargo vessel and rail freight are not authorized modes of transportation, 173.12(b) in that organic peroxides are not authorized to be packed in lab packs, 173.12(b)(3) in that Division 4.2 Packing Group I materials and Division 6.1, Packing Group I materials are not authorized to be packaged in lab packs,

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173.25(a)(2) in that each overpack must be marked and labeled, 173.25(a)(5) in that Class 8 Packing Group I and Division 5.1 Packing Group I may not be overpacked with any other material, 174.81, 176.83, 176.84 and § 177.848(c) in that certain hazardous materials must be segregated from each other in transportation, except as specified herein.

5. BASIS: This special permit is based on the application of Onyx Environmental Services L.L.C. dated June 7, 2005, submitted in accordance with § 107.109 and additional information of November 13, 2008.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description^{1,2}			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Specific or generic proper shipping name for Division 4.1 materials, preceded by the word "Waste," if applicable	4.1	As appropriate	As appropriate
Specific or generic proper shipping name for Division 4.2 materials, preceded by the word "Waste," if applicable	4.2	As appropriate	As appropriate
Specific or generic proper shipping name for Division 5.2, as appropriate, preceded by the word "Waste", if applicable	5.2	As appropriate	As appropriate
Specific or generic proper shipping name, as appropriate, preceded by the word "Waste", if applicable	6.1	As appropriate	I (Hazard Zone A)
Specific or generic proper shipping name for Class 8 materials, preceded by the word "Waste", if applicable	8	As appropriate	As appropriate

Hazardous Materials Description^{1,2}			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Cyanide materials capable of liberating hydrogen cyanide (HCN) when the material comes in contact with acid materials classed as Class or Division 3, 4.1, 4.2, 4.3, 5.1, 5.2, 6.1, 8, or 9, preceded by the word "Waste", if applicable	As appropriate	As appropriate	As appropriate

Note 1: Except for Materials Poisonous by Inhalation in Division 6.1, Packing Group I (Zone A), Division 6.1 materials in Packing Group I and Division 4.2 materials in Packing Group I, materials identified in § 173.12(b)(3) may not be transported under the terms of this special permit.

Note 2: Only waste hazardous materials may be packaged in lab packs.

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

1. Waste Cyanides - Waste cyanides, cyanide solutions or cyanide mixtures must be packaged in "Lab packs" as described in § 173.12(b)(2), containing no more than two kilograms(4.4 pounds) net weight per inner packaging, and no more than ten kilograms(22 pounds) net weight per outer packaging.

2. Waste Spontaneously Combustible Materials - Division 4.2 materials must be packaged in lab packs as provided in § 173.12(b)(2), containing no more than two kilograms(4.4 pounds) net weight per inner packaging, and no more than ten kilograms(22 pounds) net weight per outer packaging. Division 4.2 materials in PG I must be packaged in lab packs as provided in § 173.12(b)(2) except that the outer packaging must be a steel or plastic drum meeting PG I performance level. Only waste materials may be packaged in lab packs.

3. Poison Materials - Division 6.1, PG I materials in Zone A (materials poisonous by inhalation) must be packaged as required by § 173.226(c) and must be further overpacked in a steel or plastic drum meeting PG I performance level.

4. Corrosive Materials - Class 8 materials must be in authorized UN specification packagings not exceeding 208 liters (55 gallons) per package or "Lab packs" as described in § 173.12(b)(2). Only waste materials may be packaged in lab packs.

5. Waste Oxidizers and Organic Peroxides:

(i) Oxidizers: Division 5.1 materials must be packaged in lab packs as provided in § 173.12(b)(2), containing no more than two kilograms (4.4 pounds) net weight per inner packaging, and no more than ten kilograms (22 pounds) net weight per outer packaging.

(ii) Organic peroxides: Division 5.2 materials must be packaged in lab packs as provided in § 173.12(b)(2) and may contain no more than one kilogram (2.2 pounds) net weight per inner packaging, and no more than five kilograms (11 pounds) net weight per outer packaging, except that Type B Organic Peroxides are limited to no more than .5 kilograms (1.1 pound) net weight per inner packaging and no more than 2.5 kilograms (11 pounds) net weight per outer packaging.

(iii) The aggregate net weight of all Division 5.1 materials per shipment may not exceed 100 kilograms (220 pounds) and the aggregate net weight of all Division 5.2 materials or Division 4.1 self-reactive materials per shipment may not exceed 50 kilograms (110 pounds).

b. The transport vehicle may not contain any explosives, radioactive materials, or un-containerized hazardous materials in the same shipment.

c. SEGREGATION: A horizontal buffer of at least 4 feet must be maintained for separation between the following incompatible hazardous materials. This buffer may be created by using other packages containing compatible hazardous materials or non-reactive freight or by other

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means of blocking and bracing the load. In addition, each package covered by this special permit must be transported on pallets or otherwise raised at least 4 inches off the vehicle floor.

(i) Division 4.1 or 4.2 materials and Class 8 materials.

(ii) Cyanides or cyanide mixtures and acids.

(iii) Division 6.1, PG I, Zone A materials and Class 3 or 8 or Division 4.1, 4.2, 4.3, 5.1 or 5.2 materials.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. Lab packs placed on pallets and secured to the pallet with shrink-wrap need not comply with § 173.25(a)(2) except that two labels representative of each Hazard Class or Division for the materials contained therein must be visibly displayed on opposing sides.

d. The provisions of § 173.25(a)(5) prohibiting Class 8, Packing Group I and Division 5.1, Packing Group I from being overpacked with any other materials are waived.

e. The marking requirements of § 172.301(c) are waived.

f. When transported by cargo vessel, each shipping paper for a material with a flash point of 61°C or less must have an indication either that the flash point is below 23°C or that the flash point is not less than 23°C but not more than 61°C.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.

10. MODAL REQUIREMENTS:

- a. A current copy of this special permit must be carried aboard each motor vehicle and cargo vessel used to transport packages covered by this special permit.
- b. Drivers and crew members must be instructed of the hazards involved in accidental mixing of cyanide with Class 8 acid materials.

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 Theodore L. Willke
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of the most recent revision of this special permit may be obtained by accessing the Office of Hazardous Materials Safety Homepage at

http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm

The most recent revision of this special permit supersedes all previous revision of this special permit. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: dl