



U.S. Department
of Transportation
Research and
Special Programs
Administration

400 Seventh St., S.W.
Washington, D.C. 20180

SEP 25 2003

DOT-E 9723
(TWELFTH REVISION)

EXPIRATION DATE: July 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. **GRANTEE:** Frank's Vacuum Truck Service, Inc.
Niagara Falls, NY

(See Appendix A of this document for a list of additional grantees)

2. **PURPOSE AND LIMITATION:**

a. This exemption authorizes the transportation in commerce of lab packs containing cyanides and cyanide mixtures with lab packs containing acids and corrosive liquids in the same transport vehicle, subject to the conditions specified herein. 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.

3. **REGULATORY SYSTEM AFFECTED:** 49 CFR Parts 106, 107 and 171-180.
4. **REGULATIONS FROM WHICH EXEMPTED:** 49 CFR §§ 177.848(d) and 173.12 in that rail transportation is not authorized, except as specified herein.
5. **BASIS:** This exemption is based on the application from Frank Vacuum Truck Service, Inc. dated September 5, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Corrosive liquid, n.o.s.	8	As appli- cable	As appli- cable
Cyanide solutions; cyanides, inorganic, n.o.s.	6.1	As appli- cable	As appli- cable

7. SAFETY CONTROL MEASURES:

a. **PACKAGING** - Outside packaging is as prescribed in § 173.12(b) for lab packs, not exceeding 55-gallon capacity. Inside packages must be plastic, glass, earthenware or metal not over one-gallon capacity each, authorized for the material in Part 173 and compatible with the contents.

b. All materials in the outside drum must be compatible with each other. Gross weight of the drum and contents must not exceed 450 pounds. Liquid contents, by volume, in the drum may not exceed 28% of the volume of the drum. Steel drums containing material classed as corrosive material must be lined with a 6.5 mil (minimum thickness) polyethylene liner.

c. Inside packages must be surrounded with sufficient cushioning and absorbent material to prevent movement, breakage or damage and to absorb the total quantity of liquid contained within the drum in the event of leakage.

d. Acids and corrosive liquids must be separated on a transport vehicle from cyanides and cyanide mixtures by a nine foot (minimum distance) buffer zone. The buffer zone may be established by: 1) a load lock; 2) empty drums; or 3) packages containing material which is compatible with all other packages immediately around it. This buffer zone may be reduced to six feet (minimum distance) if lab packs containing acids and cyanides and cyanide mixtures are placed on pallets at least 4 inches high.

e. Transportation is limited to carriage by private or contract carrier only.

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f. **MARKING:** The outside of each lab pack must be marked "DOT-E 9723" on a contrasting background.

8. **SPECIAL PROVISIONS:**

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

b. 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 and rail freight.

10. **MODAL REQUIREMENTS:**

A current copy of the exemption (Appendix A may be shortened to include the first and last pages of Appendix A and the page on which the offeror's name appears), must be carried aboard each motor vehicle used to transport packages covered by this exemption. The shipper must furnish a current copy of this exemption to the air carrier before or at the time the shipment is tendered.

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 Federal hazardous materials transportation law 49 U.S.C. 5101 et seq.:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.106 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8 who performs 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 the 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 (AHMS) 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 inform the OHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

R. J. McGuire
for Robert J. McGuire
Associate Administrator for
Hazardous Materials Safety

SEP 25 2003
(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DAM-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: alb

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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
21st Century Environmental Management, Inc. Providence, RI	Sep 16, 2003	Oct 03, 2003	Jul 31, 2005
ADCOM Express, Inc. Vista, CA	Oct 28, 2003	Nov 13, 2003	Jul 31, 2005
AET Environmental, Inc. Denver, CO	Oct 01, 2003	Oct 17, 2003	Jul 31, 2005
Alternative Disposal, Inc. Fallbrook, CA	Dec 03, 2003	Jan 13, 2004	Jul 31, 2005
American Chemical and Environmental Inc. dba Americhem Chula Vista, CA	Jun 17, 2004	Jul 21, 2004	Jul 31, 2005
Asbury Environmental Services Compton, CA	Sep 24, 2003	Oct 17, 2003	Jul 31, 2005
Bay West, Inc. St. Paul, MN	Nov 05, 2003	Nov 13, 2003	Jul 31, 2005
Bed Rock, Inc. DBA Tri- State Motor Transit, Inc. (Former Grantee: Tri-State Motor Transit Company) Joplin, MO	Dec 10, 2003	Jan 13, 2004	Jul 31, 2005
C & W Environmental, LLC Cheektowaga, NY	Oct 21, 2003	Nov 06, 2003	Jul 31, 2005
Caldwell Environmental Associates, Inc. Noble, OK	Oct 17, 2003	Nov 06, 2003	Jul 31, 2005
Chem-Freight, Inc. Toledo, OH	Feb 25, 2004	Mar 24, 2004	Jul 31, 2005
Carolina Environmental Associates, Inc. (CEA) Burlington, NC	Oct 13, 2003	Nov 06, 2003	Jul 31, 2005

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Company Name City/State	Application Date	Issue Date	Expiration Date
Chemical Analytics, Inc. Romulus, MI	Oct 27, 2003	Nov 06, 2003	Jul 31, 2005
Chemical Disposal Services, Inc. Gary, IN	Jun 10, 2004	Jun 28, 2004	Jul 31, 2005
Chemical Pollution Control, Inc. of NY Bay Shore, NY	Oct 17, 2003	Nov 06, 2003	Jul 31, 2005
Clean Harbors Environmental Services, Inc., Braintree, MA	Nov 20, 2003	Nov 26, 2003	Jul 31, 2005
Clean Harbors of North Jersey, Inc. South Kearny, NJ	Aug 25, 2003	Sep 11, 2003	Jul 31, 2005
Clean Streams, Inc. Munster, IN	Oct 29, 2003	Nov 06, 2003	Jul 31, 2005
Clean Venture, Inc. Elizabeth, NJ	Mar 25, 2004	Apr 20, 2004	Jul 31, 2005
Cliff Berry, Inc. (CBI) Ft. Lauderdale, FL	Mar 24, 2004	Apr 20, 2004	Jul 31, 2005
Coal City Cob Company, Inc. Avalon, TX	Nov 03, 2003	Dec 04, 2003	Jul 31, 2005
Dart Trucking Company, Inc. Canfield, OH	Jan 06, 2004	Mar 10, 2004	Jul 31, 2005
Disposal Consultant Services, Inc. Hillsborough, NJ	Oct 28, 2003	Dec 12, 2003	Jul 31, 2005
Drug & Laboratory Disposal, Inc. (DLD) Plainwell, MI	Sep 29, 2003	Oct 17, 2003	Jul 31, 2005
Duratek Federal Services, Inc. (Former Grantee: Waste Management) Richland, WA	Oct 16, 2003	Oct 22, 2003	Jul 31, 2005
ECOFLO, Inc. Greensboro, NC	Nov 14, 2003	Dec 04, 2003	Jul 31, 2005
EOG Environmental, Inc. Milwaukee, WI	Aug 13, 2003	Sep 11, 2003	Jul 31, 2005

Company Name City/State	Application Date	Issue Date	Expiration Date
EQ Industrial Services, Inc. Ypsilanti, MI	Oct 28, 2003	Nov 06, 2003	Jul 31, 2005
EQ Northeast, Inc. Wrentham, MA	Nov 05, 2003	Nov 26, 2003	Jul 31, 2005
Eldredge, Inc. West Chester, PA	Sep 29, 2003	Oct 17, 2003	Jul 31, 2005
Evergreen Environmental Services Newark, CA	Oct 27, 2003	June 1, 2004	Jul 31, 2005
Enviro-Safe Corporation Sandwich, MA	Sep 05, 2003	Oct 03, 2003	Jul 31, 2005
Environmental Enterprises of Florida, Inc. Orlando, FL	Jan 21, 2004	Mar 10, 2004	July 31, 2005
Environmental Options, Inc. Rocky Mount, VA	Sep 02, 2003	Sep 25, 2003	Jul 31, 2005
Environmental Products & Services, Inc. Syracuse, NY	Dec 08, 2003	Jan 13, 2004	Jul 31, 2005
Environmental Service Group (NY), Inc., The Tonawanda, NY	Nov 25, 2003	Dec 04, 2003	Jul 31, 2005
Environmental Services, Inc. South Windsor, CT	Nov 05, 2003	Nov 13, 2003	Jul 31, 2005
Environmental Transport Group, Inc. Flanders, NJ	Aug 26, 2003	Sep 11, 2003	Jul 31, 2005
Environmental Transport Systems, Inc. Jamestown, ND	Sep 05, 2003	Sep 25, 2003	Jul 31, 2005
Environmental Waste Minimization, Inc. Allentown, PA	Oct 29, 2003	Nov 06, 2003	Jul 31, 2005
Ferguson Harbour Inc. Hendersonville, TN	Aug 13, 2003	Aug 18, 2003	Jul 31, 2005

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Company Name City/State	Application Date	Issue Date	Expiration Date
Firestone Environmental Inc. dba Prime Environmental Service Company El Monte, CA	Jan 13, 2004	Mar 10, 2004	Jul 31, 2005
Freehold Cartage, Inc. Freehold, NJ	Sep 17, 2003	Oct 03, 2003	Jul 31, 2005
Global Environmental Services Group, LLC Honolulu, HI	Aug 23, 2004	Sep 21, 2004	Jul 31, 2005
HazChem Environmental Corporation Addison, IL	Nov 11, 2003	Dec 04, 2003	Jul 31, 2005
HazMat Environmental Group, Inc. Buffalo, NY	Nov 03, 2003	Nov 13, 2003	Jul 31, 2005
Heritage Transport, LLC Indianapolis, IN	Oct 28, 2003	Nov 06, 2003	Jul 31, 2005
Horwith Trucks, Inc. Northampton, PA	Oct 23, 2003	Nov 06, 2003	Jul 31, 2005
Idaho National Engineering and Environmental Laboratory (INEEL) Idaho Falls, ID	Jan 06, 2004	Jan 20, 2004	Jul 31, 2005
Lawson Oil Company Inc. North Mankato, MN	Mar 12, 2004	Mar 24, 2004	Jul 31, 2005
MKC Enterprises, Inc. Doraville, GA	Oct 01, 2003	Oct 03, 2003	Jul 31, 2005
Marisol, Inc. Bound Brook, NJ	Oct 22, 2003	Nov 06, 2003	Jul 31, 2005
Maumee Express, Inc. Somerville, NJ	Aug 29, 2003	Sep 25, 2003	Jul 31, 2005
Midwest Environmental Services, Inc. Brownstown, IN	Nov 28, 2003	Mar 10, 2004	Jul 31, 2005
Midwest Environmental Transport, Inc. Cincinnati, OH	Oct 14, 2003	Oct 17, 2003	Jul 31, 2005

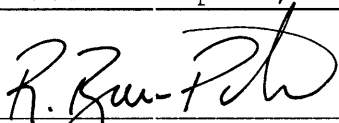
Company Name City/State	Application Date	Issue Date	Expiration Date
Maine Labpack South Portland, ME	Nov 4, 2004	NOV 5 2004	Jul 31, 2005
New England Disposal Technologies, Inc. Shrewsbury, MA	Nov 03, 2003	Nov 06, 2003	Jul 31, 2005
Northland Environmental, Inc. Providence, RI	Sep 16, 2003	Oct 21, 2003	Jul 31, 2005
Nortru, Inc. Transportation Group Detroit, MI	Nov 12, 2003	Dec 04, 2003	Jul 31, 2005
Onyx Environmental Services, L.L.C. Flanders, NJ	Oct 08, 2003	Oct 17, 2003	Jul 31, 2005
Perma-Fix of Orlando, Inc. Orlando, FL	May 10, 2004	Jun 28, 2004	Jul 31, 2005
PVS Transportation, Inc. Detroit, MI	Sep 05, 2003	Sep 25, 2003	Jul 31, 2005
Pacific Trans Environmental Services, Inc. El Cajon, CA	Oct 31, 2003	Nov 06, 2003	Jul 31, 2005
Pfizer Global Manufacturing Barceloneta, PR	Sep 04, 2003	Sep 25, 2003	Jul 31, 2005
Philip Reclamation Services Houston, Inc. Houston, TX	Nov 18, 2003	Nov 26, 2003	Jul 31, 2005
Philip Transportation & Remediation, Inc. Phoenix, AZ	Nov 25, 2003	Dec 04, 2003	Jul 31, 2005
Pollution Control Ind of Tennessee Millington, TN	Sep 23, 2003	Oct 03, 2003	Jul 31, 2005
Pollution Control Industries of California, L.L.C. Rancho Cordova, CA	Oct 13, 2003	Nov 26, 2003	Jul 31, 2005

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Company Name City/State	Application Date	Issue Date	Expiration Date
R3 Environmental Management, Inc. Elgin, IL	Sep 15, 2003	Oct 03, 2003	Jul 31, 2005
ROMIC Ervironmental Technical Corp. East Palo Alto, CA	Aug 28, 2003	Sep 11, 2003	Jul 31, 2005
Ramos Oil Recyclers dba Ramos Ervrmntl. Services West Sacramento, CA	Oct 28, 2003	Nov 13, 2003	Jul 31, 2005
Republic Environmental Sys. (Transp. Group), Inc. Hatfield, PA	Oct 10, 2003	Oct 17, 2003	Jul 31, 2005
Rineco Chemical Industries, Inc. Benton, AR	Jul 14, 2003	Jul 30, 2003	Jul 31, 2005
Rutgers Environmental Health & Safety Piscataway, NJ	Oct 13, 2003	Oct 22, 2003	Jul 31, 2005
Safety-Kleen Systems, Inc. Plano, TX	Dec 05, 2003	Jan 13, 2004	Jul 31, 2005
SLT Express Way, Inc. Murray, UT	Mar 22, 2004	Apr 8, 2004	Jul 31, 2005
Smith Systems Transportation Inc. Scottsbluff, NE	Sep 24, 2003	Oct 03, 2003	Jul 31, 2005
Special Waste Disposal Inc. Minneapolis, MN	Feb 11, 2004	Mar 10, 2004	Jul 31, 2005
Sturgeon & Son, Inc. Bakersfield, CA	Oct 27, 2003	Nov 13, 2003	Jul 31, 2005
Teris, LLC (Former Grantee: ENSCO, Inc./dba Div. Trans.) Dallas, TX	Sep 29, 2003	Oct 03, 2003	Jul 31, 2005
Tonawanda Tank Transport Service, Inc. Buffalo, NY	Nov 12, 2003	Nov 26, 2003	Jul 31, 2005
Triad Transport, Inc. McAlester, OK	Oct 31, 2003	Nov 13, 2003	Jul 31, 2005

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Company Name City/State	Application Date	Issue Date	Expiration Date
Triumvirate Environmental, Inc. Somerville, MA	Nov 19, 2003	Nov 26, 2003	Jul 31, 2005
U.S. Industrial Technologies, Inc. Novi, MI	Jan 12, 2004	Mar 10, 2004	Jul 31, 2005
University of Vermont Burlington, VT	Dec 31, 2003	Jan 13, 2004	Jul 31, 2005
Von Roll America, Inc. East Liverpool, OH	Dec 15, 2003	Jan 13, 2004	Jul 31, 2005



Robert A. McGuire

fa Associate Administrator for
Hazardous Materials Safety