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

400 Seventh St., S.W.
Washington, D.C. 20590

OCT 21 2003

DOT-E 10933
(TENTH REVISION)

EXPIRATION DATE: June 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Safety-Kleen Systems, Inc.
(Former Grantee: Safety-Kleen Corp.)
Plano, TX

(See Appendix A for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain labpack quantities of hazardous materials with other containerized hazardous materials with partial relief from certain segregation requirements. This exemption provides no relief from any Hazardous Materials Regulation (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 §§ 173.12(b) in that rail and vessel transportation is not authorized except as provided herein, 174.81, 176.83, and 177.848, except as specified herein.

5. BASIS: This exemption is based on the application of Safety-Kleen Systems, Inc., dated October 6, 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 |
|---|---|---|---|
| Hazardous materials and wastes classed as Class or Division 3, 4.1, 4.2, 4.3, 5.1, 5.2, 6.1, 8, or 9 | As Appro- priate | As Appro- priate | As Appro- priate |

Note: Materials identified in § 173.12(b)(3) may not be transported under the terms of this exemption.

7. SAFETY CONTROL MEASURES: PACKAGING - Packagings must conform to the provisions of § 173.12(b) and the following:

a. Except during emergency situations, lab packs must be within the transport vehicle at all times during transport.

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

c. All packages must be placed on pallets of not less than four inches in height.

d. Cyanide and/or cyanide mixtures may not exceed one pound per inside packaging and five pounds per lab pack.

e. All packages containing acidic materials must be separated from lab packs containing cyanide or cyanide mixtures by a buffer zone of not less than nine feet. The buffer zone may be established by:

(1) a load lock;
(2) empty drums; or
(3) drums containing a hazardous material which is compatible with all other drums immediately around it.

f. When offered for transportation by cargo vessel, lab packs of hazardous waste must be prepared and packaged as follows:

(1) Materials in Class 3 or 4 must be packaged in glass or metal inside packagings.

(2) Materials in Division 5.1 may not exceed two pounds per lab pack.

(3) Materials in Division 5.2 must be shipped in accordance with § 173.152(b) and may not exceed one percent of the aggregate weight of the wastes in the shipment.

(4) The aggregate weight of all oxidizers and organic peroxides in the shipment may not exceed two percent of the aggregate weight of the wastes in the shipment.

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 modifications or changes are made to the package 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.

c. Shippers using the packaging covered by this exemption must comply with requirements of 49 CFR Part 172; all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 100 through 180.

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

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel and motor vehicle used to transport packages covered by this exemption.

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

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by § 107.601 et seq., when applicable.

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

Issued in Washington, D.C.:

R. Ben Pick

Robert A. McGuire
for Associate Administrator for
Hazardous Materials Safety

OCT 21 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: DHM-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: AM