U.S. Department
of Transportation

**Research and
Special Programs
Administration**

NOV 12 1998

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

DOT-E 12163

EXPIRATION DATE: March 11, 1999

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Safety-Kleen
Columbia, SC

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the transportation in commerce of a Division 4.3 material in a DOT Specification 4BW cylinder subject to the limitations and special requirements specified herein. This exemption provides no relief from any regulation other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazard 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 173.211 in that a DOT Specification 4BW cylinder is not an authorized packaging.

5. BASIS: This emergency exemption is based on the application of Safety-Kleen dated October 14, 1998, submitted in accordance with 49 CFR 107.117 and additional information dated October 22, 1998, and a determination that it is necessary to prevent significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Waste sodium	4.3	UN1428	I

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT Specification 4BW-240 cylinders. Each cylinder must be closed by use of plugs or plugged ball valves. Openings must be protected by welded collars. Cylinders must not be pressurized.

b. OPERATIONAL CONTROLS:

(1) Total weight of each cylinder must not exceed 150 pounds.

(2) Each cylinder must be placed in a cardboard box as described Exhibit A of Safety-Kleen's application on file with the Office of Hazardous Materials and Exemptions. Cylinders must be placed on a pallet and must not be stacked.

(3) Cylinders must not be liquid full at 130°F.

(4) The driver of the transport vehicle must be instructed that when the vehicle is in an accident involving spilled fuel or fire, the vehicle must be move to a safe location unless moving the vehicle would directly endanger others.

(5) Emergency response information provided with the shipment and available via an emergency response telephone number must indicate that the receptacles are not fitted with pressure relief devices and provide appropriate guidance in case of fire or if the contents of the cylinder are exposed to moisture.

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.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each 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. Section 5101 et seq:

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

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. (49 CFR 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 incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

NOV 12 1998
(DATE)

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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.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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