

January 23, 2007



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 10656
(ELEVENTH REVISION)

EXPIRATION DATE: December 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Shippers and carriers of scrap metal or other related metal recycle materials with low levels of external radiation who are approved by state radioactive material control officials registered with the Office of the Executive Director of the Conference of Radiation Control Program Directors (CRCPD), Frankfort, Kentucky.

2. PURPOSE AND LIMITATION:

a. This special permit authorizes the one-way transportation in commerce by highway or rail of shipments of scrap metal and related metal recycle materials (hereafter referred to as "scrap metal") which have been found, during or at the conclusion of transportation or during inspection of the shipment following its receipt, to contain unexpected and unidentified radioactive material or contamination. The one-way transportation authorized by this special permit is exempted from the classification, packaging, and hazard communication requirements normally required for transportation of radioactive material.

The purpose of the transportation authorized by this special permit is to allow the scrap metal to be moved to a location deemed by the authorizing state official to be more appropriate for proper characterization and/or disposition of the discovered radioactivity. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analysis performed in the development of this special permit only considered the hazards and risks associated with transportation in commerce.

c. Party status will not 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 Part 172, Subparts C, D, E, F, G, and H as they pertain to required shipping papers, package marking and labeling, vehicle placarding, emergency response information and training; 49 CFR Part 173, Subpart B, § 173.22(a)(1) as it pertains to classification of hazardous materials; 49 CFR Part 173, Subpart I as it pertains to packaging and transport of radioactive material; Part 174, Subpart K as it pertains to detailed requirements for rail transport of radioactive materials; and Section 177.842 as it pertains to highway transport of radioactive materials.
5. BASIS: This special permit is based on the application of CRCPD dated December 12, 2007, 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
Radioactive material, excepted package-limited quantity of material	7	UN2910	N/A
Radioactive Material, Type A package <i>non-special form, non fissile or fissile-excepted</i>	7	UN2915	N/A
Radioactive Material, Type A package, special form <i>non fissile or fissile-excepted</i>	7	UN3332	N/A
Radioactive Material, Type B(U) package <i>non fissile or fissile-excepted</i>	7	UN2916	N/A
Radioactive Material, low specific activity (LSA-I) <i>non fissile or fissile-excepted</i>	7	UN2912	N/A
Radioactive Material, low specific activity (LSA-II) <i>non fissile or fissile-excepted</i>	7	UN3321	N/A

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Radioactive Material, low specific activity (LSA-III) <i>non fissile or fissile-excepted</i>	7	UN3322	N/A
Radioactive Material, surface contaminated objects (SCO-I or SCO-II) <i>non fissile or fissile-excepted</i>	7	UN2913	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The shipments are excepted from the packaging and transport requirements for radioactive materials of Part 173, Subpart I and may be transported by motor vehicle or rail provided it is evident that radioactive material will not be released from the conveyance during transit and that the transport conditions in the shipment approval form specified in paragraph 7(d) of this special permit are satisfied.

b. CLASSIFICATION AND TESTING - The shipments are exempted from the classification and description requirement of § 173.22(a)(1) provided that the measured radiation levels at the external surface of the conveyance do not exceed 0.50 mSv/h (50 mrem/h).

c. COMMUNICATIONS - The packages and conveyances transported under this special permit are exempted from the communications requirements of 49 CFR Part 172, Subpart C (shipping papers), D (marking), E (labeling), and F (placarding) provided the communications provisions in the shipment approval form specified in paragraph 7(d) of this special permit are satisfied.

d. SHIPMENT APPROVAL by STATE RADIATION OFFICIAL - Prior to shipment of the scrap metal, the state radiation control official of the state where the radiation was detected must evaluate the radiological risk associated with the transport of the material, under the conditions of this special permit, to a location where the radioactive material can be identified and properly treated. If the official believes that these risks are no greater than the risk associated with the transport of these materials within the regulations, he may authorize the shipment by completing and signing the shipment approval form shown in Annex A. Any

additional or special conditions required as a condition of safe transport may be included in the approval.

e. SHIPMENT APPROVAL FORM DISTRIBUTION - Copies of the shipment approval form must be provided, in advance of the shipment, by the issuing official to the following:

- (1) the Office of the Executive Director, CRCPD, Frankfort, KY;
- (2) the cognizant person at the facility where the radioactive material was discovered;
- (3) the cognizant person at the facility from which the scrap metal was shipped prior to detection;
- (4) the cognizant person at the facility to which the scrap metal will be shipped for identification and/or treatment;
- (5) the state radiation official having authority over the facility receiving the shipment (after detection);
- (6) the state radiation official having authority over the facility from which the shipment originated (before detection).

f. SHIPMENT APPROVAL for CARRIERS - The cognizant person at the facility where the radioactive material was discovered must provide the operator of the highway vehicle with a copy of the shipment approval. For shipments by rail, he must provide the shipment approval to the railroad management or dispatch office.

g. IDENTIFICATION AND DISPOSITION OF RADIOACTIVE MATERIAL TRANSPORTED UNDER THIS SPECIAL PERMIT - Once the radionuclides in the scrap metal are identified and appropriate disposition is arranged, the identification and disposition portion of the shipment approval form must be completed and sent to the following:

- (1) the Office of the Executive Director, CRCPD;
- (2) the state official at the state of origin (prior to detection);

(3) the state official issuing the shipment approval;
and

(4) the state official of the state where
identification and disposition occurred

8. SPECIAL PROVISIONS:

a. Shipment Approval Assigned Number - One official in each state must assign and maintain a list of shipment approval numbers for all shipment approvals issued by that state under DOT-SP 10656. The eight figures in the shipment approval number should be determined as follows: the first two characters are the abbreviation of the state of origin; the third and fourth characters must be the abbreviation of the state of destination; the fifth and sixth characters must be the last two digits of the year of issue; the seventh and eighth characters must be the sequential number of the shipment approved for that year between those states. For example AR-KY-99-04 would be the fourth shipment from Arkansas to Kentucky that was approved by the official during 1999.

b. Additional modifying symbols may be added to the U. S. postal designation for the state of origin only, in order to distinguish among multiple originating state offices if necessary, if written permission is first obtained from the CRCPD. In these cases each originating state office must assign its own sequential numbers (the seventh and eighth characters in paragraph 8.a) for each year, starting with 01.

c. Each state radioactive material official approving shipments must have a copy of this special permit and a copy of Title 49 of the Code of Federal Regulations. This official should also provide a copy of this special permit and their implementing instructions to all managers of scrap metal facilities that have installed radiation monitoring systems within their state.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight and motor vehicle.

10. MODAL REQUIREMENTS:

a. A current copy of the shipment approval document must be carried in the cab of the motor vehicle. For shipments by rail, the railroad management will provide to train crews the identity of the rail car and its position in the train.

b. Each carrier must ensure that the shipment described on the shipment approval document is transported over the most appropriate route without unnecessary or avoidable delay.

c. The shipment approval form and other provisions of this special permit satisfy: the Emergency Information and Training requirements of 49 CFR Part 172, Subpart G and Subpart H, and the modal Class 7 material requirements of Part 174, Subpart K and Part 177, Subpart B.

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 the 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 immediately notify the Associate Administrator for Hazardous Materials Safety -- OHMSPA, by calling the National Response Center at 1-(800)424-8802 of any incident under this special permit. A call must also be made to the state official signing the shipment approval as identified in paragraph 7(d). These telephonic notices should identify that the shipment is under DOT-SP 10656 and the eight-digit shipment approval identification number.

Issued in Washington, D.C.:



for Bob Richard
Deputy 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 this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: RB/FF/sln