



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

JUL 6 2004

DOT-E 12102
(ELEVENTH REVISION)

EXPIRATION DATE: November 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Onyx Environmental Services, L.L.C.
Ledgewood, NJ

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

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain unapproved Class 1 explosive materials desensitized by wetting with water, alcohol or other suitable diluent so as to eliminate their explosive properties (Removal of the desensitizing agent may restore the material's explosive properties). 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 § 173.56(i) in that the materials were not examined in accordance with § 173.56(b), except as specified herein.

5. BASIS: This exemption is based on the application of Onyx Environmental Services, L.L.C. dated March 8, 2004, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Waste, Flammable solid, corrosive, organic, n.o.s. (trinitrobenzene sulfonic acid, not to exceed 1 percent in water)	4.1	UN2925	II
Waste, Flammable solid, corrosive, organic, n.o.s. (trinitrochlorobenzene, not to exceed 1 percent in water)	4.1	UN2925	II
Waste, Flammable solid, organic, n.o.s. (hexanitrodiphenylamine, not to exceed 1 percent in clay and pyridine)	4.1	UN1325	II
Waste, Flammable liquid, n.o.s. (trinitrofluorenone, not to exceed 1 percent in ethanol and water)	3	UN1993	II
Waste, Flammable solid, organic, n.o.s. (smokeless powder, not to exceed 10 percent in water)	4.1	UN1325	II
Waste, Flammable liquid, n.o.s. (nitrobromobenzene, not to exceed 10% in ethanol)	3	UN1993	II
Waste, Flammable liquid, n.o.s. (tert-butoxy carbonyl azide, not to exceed 1% in acetone)	3	UN1993	II
Hazardous Waste liquids, n.o.s., (tetra ethyl ammonium perchlorate, not to exceed 1% in water)	9	NA3082	III
Waste, Environmentally Hazardous liquids, n.o.s., (tetra ethyl ammonium perchlorate, not to exceed 1% in water)	9	UN3082	III

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Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Waste, Flammable liquid, n.o.s. (1H-Tetrazole, not to exceed 1 percent in acetonitrile)	3	UN1993	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - All materials must be packaged in accordance with § 173.201 for liquids and § 173.211 for solids at the Packing Group I performance level.

b. OPERATIONAL CONTROLS -

(1) The maximum concentration of hazardous material per outer package may not exceed the concentrations listed in paragraph 6 for each respective material.

(2) The maximum net amount of desensitized explosive material (including diluent) per outer package may not exceed 10 Kg.

8. SPECIAL PROVISIONS:

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

b. Transportation is only authorized one-way from the point of pickup to a waste management or disposal facility.

9. MODE(S) OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.10. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard each cargo vessel used to transport packages covered by this exemption.

b. Transportation must be by private motor carrier or cargo vessel.

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:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption 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 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 fire, explosion, 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.:



fe Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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(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.

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: RDT/AM

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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	Mar 31, 2004	Apr 21, 2004	Nov 30, 2005
AET Environmental, Inc. Denver, CO	Mar 4, 2004	Apr 1, 2004	Nov 30, 2005
American Chemical and Environmental Inc. dba AmeriChem Chula Vista, CA	Jun 17, 2004	JUL 23 2004	Nov 30, 2005
Barnes HazMat Pacoima, CA	Mar 16, 2004	Apr 29, 2004	Nov 30, 2005
Caldwell Environmental Associates Commerce City, CO	Apr 2, 2004	Apr 29, 2004	Nov 30, 2005
Chem-Freight, Inc. Detroit, MI	Feb 25, 2004	Mar 22, 2004	Nov 30, 2005
Chemical Disposal Services, Inc. Gary, IN	Jun 10, 2004	Jul 6, 2004	Nov 30, 2004
Disposal Consultant Services, Inc., Hillsborough, NJ	Oct 28, 2003	Mar 10, 2004	Nov 30, 2005
Clean Harbors Environmental Services, Inc. Braintree, MA	Feb 16, 2004	Mar 10, 2004	Nov 30, 2005
Duratek Federal Services, Inc. Richland, WA	Apr 02, 2004	June 1, 2004	Nov 30, 2005
ECOFLO, Inc. Greensboro, NC	Feb 20, 2004	Mar 10, 2004	Nov 30, 2005
Haz Mat Services, Inc. Anaheim, CA	Nov 18, 2003	Dec 12, 2003	Nov 30, 2005
Nortru, Inc. Detroit, MI	Feb 25, 2004	Mar 22, 2004	Nov 30, 2005

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Company Name City/State	Application Date	Issue Date	Expiration Date
Onyx Environmental Services, L.L.C. Flanders, NJ	Mar 08, 2004	Mar 22, 2004	Nov 30, 2005
Perma-Fix of Orlando, Inc. Orlando, FL	May 10, 2004	June 1, 2004	Nov 30, 2005
Photo Waste Recycling, Co., Inc., Pocomo, CA	Mar 16, 2004	Apr 29, 2004	Nov 30, 2005
R3 Environmental Management, Inc. Streamwood, IL	May 20, 2004	Jul 6, 2004	Nov 30, 2005
Republic Environmental Systems Transportation Group, Inc. Hatfield, PA	Feb 09, 2004	Mar 22, 2004	Nov 30, 2005
Robbie D. Woods, Inc. Dolomite, AL	May 25, 2004	June 1, 2004	Nov 30, 2005
SET Environmental, Inc. Wheeling, IL	Mar 11, 2004	Apr 1, 2004	Nov 30, 2005
Smith Systems Transportation Scottsbluff, NE	Mar 30, 2004	Apr 21, 2004	Nov 30, 2005



Robert A. McGuire

Associate Administrator for
Hazardous Materials Safety