



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

MAR 24 2004

DOT-E 12448
(FOURTH REVISION)

EXPIRATION DATE: February 28, 2006

1. GRANTEE: Onyx Environmental Services, L.L.C.
Flanders, NJ
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of anhydrous ammonia in DOT specification cylinders which are not authorized by the Hazardous Materials Regulations (HMR) for the shipment of anhydrous ammonia. The cylinders are being transported to a disposal facility. 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 § 173.304a(a)(2) in that the DOT specification packaging to be used is not authorized, and/or the filling density may be exceeded, except as specified herein.
5. BASIS: This exemption is based on the application of Onyx Environmental Services, L.L.C. dated December 4, 2003, submitted in accordance with § 107.109 and supplemental information dated January 6, 2004.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Ammonia, anhydrous	2.2	UN1005	n/a

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT specification cylinders containing anhydrous ammonia.

b. Each cylinder must be inspected by a qualified Onyx Environmental Services employee and determined to be in adequate condition for transportation. Only non-leaking cylinders are authorized.

c. Each cylinder must be shipped packed in ice and placed in an open-head drum with the top bung open.

d. Transportation of the cylinders is authorized from crime scenes to proper disposal facilities. Transportation is also authorized to Onyx distribution facilities for temporary storage; however, disposal must be carried out as soon as practicable.

e. Transportation of the cylinders must be by private or contract carrier only. During transportation, the packages must be monitored every 2 hours for leaks.

f. Each cylinder must be equipped with a valve plug.

8. SPECIAL PROVISIONS: No additional requirements other than as required by the HMR.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard the 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:

- 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 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 incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Robert A. McGuire
bⁿ 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: sln