

July 27, 2006



U.S. Department  
of Transportation

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

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 14283

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of non-DOT specification bulk packages containing uranium mill tailings and debris with low levels of radioactivity from the former Atlas uranium processing facility in Moab, Utah and vicinity locations to a DOE owned disposal facility near Crescent Junction, Utah. This special permit authorizes alternative requirements for hazard communication and packaging. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with transportation in commerce.
  - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.302(a), 172.331, 172.332, and 174.59, in that the UN identification number is marked on two sides of each conveyance and intermodal container in the manner described in this special permit; §§ 172.310(b) and (c) in that packages must be transported without the package type and international vehicle registration code markings; § 172.403 in that a Radioactive label is not required; § 173.427(b) in that alternative packaging is authorized; and §§ 173.443(c) and (d), 174.715(a), and 177.843(a) and (b) in that railcars, trucks, or trucks and pups may continue to be used under this special permit to pick up another load without the indicated radiation surveys after unloading.

- 5. BASIS: This special permit is based on the application of the U.S. Department of Energy dated November 14, 2005, and additional information dated April 24, and June 1, 2006, submitted in accordance with § 107.105, and the public proceeding thereon.
- 6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Material Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Radioactive material, low specific activity (LSA-II), <i>non fissile or fissile-excepted</i>	7	UN3321	N/A

- 7. SAFETY CONTROL MEASURES:
  - a. PACKAGING - Authorized packagings are the rail car, intermodal container, haul truck, or pup-trailer, as described in the DOE application on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). These packagings are considered equivalent to the packagings authorized in § 173.427(b) for LSA-II radioactive material.
  - b. OPERATIONAL CONTROLS -
    - (1) Loaded rail cars, intermodal containers, haul trucks, and pup-trailers must be covered by a securely fastened hard cover or tarpaulin during transport. The covering used must ensure that there is no inadvertent release of the radioactive contents during transport under normal, non-accident conditions.

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(2) All shipments under this special permit must be consigned as exclusive use. Exclusive use provisions in §§ 173.427(a)(6)(i) through (v) apply.

(3) Uranium mill tailings to be shipped by rail car, haul truck, haul truck with pup-trailer, or intermodal container under this special permit must have an activity concentration of radium-226 no greater than 100 Bq/g (2700 pCi/g). Sampling of the contents of individual packages is not required; activity concentrations may instead be determined by DOE-approved site sampling procedures. All material is to be shipped as "Radioactive material, low specific activity, LSA-II, UN3321."

(4) There must be no leakage of radioactive material from the conveyance. There must be no loose tailings or other contaminated materials on the surface of the covering at any time during transport under normal, non-accident conditions.

(5) Shipping paper descriptions of package contents shipped under this special permit must assume the presence of LSA-II radioactive material, and must use conservative (maximum) values for the total activity and Transport Index (TI) for the container used, based on full containers and a worst case total activity concentration of 10,530 pCi/g, as described in the application. Example conservative total activities and TIs are:

(i) Railcar, content weight of 100 tons: total activity per railcar 0.035 TBq (0.956 Ci), TI 1.6.

(ii) Intermodal container, content weight of 40 tons: total activity per container 0.014 TBq (0.382 Ci), TI 1.4.

(iii) Haul truck, content weight of 20 tons: total activity per haul truck 0.007 TBq (0.191 Ci), TI 1.3.

(iv) Haul truck and pup, content weight of 33 tons: total activity per conveyance 0.012 TBq (0.318 Ci), TI 1.3.

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(6) Each rail car, intermodal container, truck, and pup-trailer must be plainly and durably marked on at least two opposite sides as follows:

For Radioactive Materials Use Only  
 RQ, RADIOACTIVE-LSA  
 UN3321  
 DOE-SP 14283  
 Gross Weight<sup>1</sup>: \_\_\_\_\_  
 Emergency Contact<sup>2</sup>: \_\_\_\_\_  
 Emergency Phone<sup>2</sup>: \_\_\_\_\_

<sup>1</sup> The gross weight must be either the actual gross weight or the maximum possible for each type of container.

<sup>2</sup> The emergency contact and phone number are to be determined by the special permit grantee.

The size of the markings must be as specified in § 172.302(b).

(7) The markings must not be removed or covered until the conveyance, including any intermodal container, is radiologically released in accordance with the conveyance release requirements in §§ 174.715(a) or 177.843(a).

(8) Emergency Response:

(a) In the case of an event resulting in the release of radioactive material, the DOE must ensure that procedures are in place so that:

(i) spills are immediately reported to the DOE contractor responsible for the overall management of the specific clean up project;

(ii) the spill area is isolated to protect the public; and

(iii) the spill is cleaned up in an expeditious manner.

(b) The DOE must ensure that a record is kept in a central location of all incidents during use of this special permit which resulted in a spill, including date, time, mode of transport, an estimate of the volume and activity released, and any other details

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deemed pertinent. This information must be made available to the AAHMS upon request. A summary of this data must be submitted to DOT whenever renewal of this special permit is requested, and upon termination of the shipping campaign.

(c) Reporting requirements of §§ 171.15 and 171.16 apply.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modifications or changes are made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

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

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

10. MODAL REQUIREMENTS:

a. When transporting material under the conditions of this special permit, the shipper must ensure that the truck driver or a member of the train crew have in their possession during transport a current copy of this special permit, the appropriate generic shipping paper, exclusive use instructions, and emergency response instructions.

b. For shipments by rail car, the DOE must ensure compliance with applicable regulations in 49 CFR Chapter II, Parts 200 - 299 - Federal Railroad Administration, Department of Transportation, and in 49 CFR Part 174, except for those citations specifically exempted.

c. For shipments by truck, the DOE must ensure compliance with applicable regulations in 49 CFR Chapter III, Parts 300 - 399 - Federal Motor Carrier Safety Administration, Department of Transportation, and in 49 CFR Part 177, except for those citations specifically exempted.

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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 this 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: As specified in paragraph 7.b.(8)(b) of this special permit.

Issued in Washington, D.C.:



for Robert A. McGuire  
 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](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.

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