U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

DOT-SP 14711

EXPIRATION DATE: July 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Department of Energy
Albuquerque, NM

2. PURPOSE AND LIMITATION:

a. This special permit authorizes the transportation in commerce of certain approved Division 4.1 desensitized explosives in a non-DOT specification bulk packaging by motor vehicle. 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 the transportation in commerce.

c. No party status will 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 § 172.101(c) Table in that bulk packaging is not authorized for desensitized explosives, except as provided herein.

5. BASIS: This special permit is based on the application of Department of Energy dated May 14, 2008 and additional information provided on June 27 and July 11, 17, 25, 30th and August 7, 2008, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Desensitized explosive, solid, n.o.s.(soils containing PETN, RDX, HMX, TNT and/or TATB)	4.1	UN3380	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Non-DOT specification rugged sift-proof steel closed bulk bins with tarpaulin covers are authorized.

b. OPERATIONAL CONTROLS -

(i) Explosive contaminated soils shall conform to the approval given in EX2007050295 and shall be thoroughly mixed to ensure homogeneity prior to transport.

(ii) The total volume of explosive contaminated soils transported under this special permit shall not exceed 2500 cubic yards.

(iii) Transportation is limited to one-way carriage between the US DOE owned facility in Pantex, TX to contracted RCRA Subtitle C or Subtitle D disposal sites, either in Canyon, TX (an approximate one-way distance of 41 miles) or Lone Mountain, OK (an approximate one-way distance of 252 miles).

(iv) Transportation shall either be by the US DOE or by a US DOE qualified third-party "for hire" contract carrier as defined in 49 CFR Section 390.5.

(v) Operators shall be given special training in awareness of the hazardous nature of the specific cargo and the routes to be taken to avoid highly populated areas, unstable road surfaces and treacherous driving conditions, where possible.

c. TESTING. - Samples shall be taken and analyzed for their explosives content prior to the loading of the first shipment and prior to loading of approximately every eleventh shipment transported thereafter to verify that the soils comply with the explosive quantity limits authorized in EX2007050295 and that they are uniformly mixed.

8. SPECIAL PROVISIONS: A current copy of this special permit must be maintained at each facility where the package is offered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.

10. MODAL REQUIREMENTS:

a. A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

b. Two opposing sides of the closed bulk bins shall be marked with "SP-14711" in clear, indelible block lettering at least 4 inches in height.

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:

- All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- 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.
- 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: 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 notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a explosion, fire or loss of a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:

for Theodore L. Willke
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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: scw