



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

March 1, 2012

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

DOT-SP 10656
(TWELTH REVISION)

EXPIRATION DATE: January 31, 2016

(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") in accordance with the conditions and requirements of set forth below, when:
 - (1) during or at the conclusion of transportation or during inspection of the shipment following its receipt, the scrap metal is found to contain unexpected and unidentified radioactive material or contamination; and
 - (2) the scrap metal is transported to a location determined by the authorizing State Radioactive Material Control Official to be more appropriate for proper characterization and /or disposition of the discovered radioactivity.
 - b. Until May 31, 2012, transportation of the scrap metal described above is authorized under the provisions of the Eleventh Revision of DOT-SP 10656, in order to allow implementation of the revised conditions and requirements in this special permit. Otherwise, this special permit supersedes all previous revisions of DOT-SP 10656.

- c. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
- d. The safety analysis performed in the development of this special permit only considered the hazards and risks associated with transportation in commerce.
- e. 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, H and I as they pertain to required shipping papers, package marking and labeling, placarding, emergency response information, training and security requirements; 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; 49 CFR Part 174, Subpart K as it pertains to detailed requirements for rail transport of radioactive materials; and 49 CFR 177.842 as it pertains to highway transport of radioactive materials.
5. BASIS: This special permit is based on the show cause letters dated March 1, 2010 and August 11, 2011 and the comments submitted in response to those letters.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification 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

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
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
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 in Part 173, Subpart I and may be transported by motor vehicle or rail provided the 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.e. of this special permit are satisfied.

b. CLASSIFICATION AND TESTING - The shipments are exempted from the classification and description requirements referenced in § 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) and, in the case of a highway vehicle, the dose rate in any occupied space is no greater than 0.02 mSv/h (2 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 paragraphs 10.a. and 10.d. as well as the shipment approval form specified in paragraph 7.e. of this special permit are satisfied.

d. TRAINING AND SECURITY - The requirements of Subparts H and I of Part 172 are waived.

e. SHIPMENT APPROVAL by STATE RADIATION CONTROL 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 State Radiation Control Official believes that these risks are no greater than the risk associated with the transport of these materials within the regulations, he/she may authorize the shipment by completing and signing a shipment approval form containing all the information shown in Annex A in a format controlled by CRCPD. Any additional or special conditions required as a condition of safe transport must be included in the approval.

f. SHIPMENT APPROVAL FORM DISTRIBUTION - Copies of the shipment approval form must be provided, in advance of the shipment, by the issuing State Radiation Control Official to the following:

- (1) the Office of the Executive Director, CRCPD, Frankfort, KY;
- (2) the facility where the radioactive material was discovered;
- (3) the facility from which the scrap metal was shipped prior to detection;
- (4) the facility to which the scrap metal will be shipped for identification and/or treatment;

(5) the State Radiation Control Official(s) having authority over the shipment during transit (if applicable). Note: Transit states may opt out of the notification process upon consultation and agreement with emergency response organizations and when documentation is on file with CRCPD.

(6) the State Radioactive Material Control Official having authority over the facility receiving the shipment (after detection);

(7) the State Radioactive Material Control Official having authority over the facility from which the shipment originated (before detection).

g. SHIPMENT APPROVAL FOR CARRIERS - A person at the facility where the radioactive material was discovered must provide a copy of the shipment approval and special permit to the operator of the vehicle used for highway shipments and to the railroad management or dispatch office for rail freight shipments.

h. 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 Radioactive Material Control Official at the state of origin (prior to detection);
- (3) the State Radioactive Material Control Official issuing the shipment approval; and
- (4) the state official of the state where identification and disposition occurred, if different from h.(2).

Completed records must be maintained by the officials for a period of three years from the date of issuance.

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 nine figures in the shipment approval number should be determined as follows: the first two characters are the abbreviation of the state of origin (where the radioactive material was detected); the third and fourth characters must be the abbreviation of the state of destination (where the radioactive material will be dispositioned); the fifth and sixth characters must be the last two digits of the year of issue; the seventh, eighth and ninth characters must be the sequential number of the shipment approved for that year between those states. For example AR-KY-99-004 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, eighth and ninth characters in paragraph 8.a.) for each year, starting with 001.

c. Each State Radioactive Material Control Official approving shipments must have copy of this special permit and access to the current Hazardous Materials Regulations (Title 49 of the Code of Federal Regulations, Parts 100-185). This official must also provide a copy of this special permit and their implementing instructions to all managers of scrap metal facilities within their state that have installed radiation monitoring systems.

d. The CRCPD must provide a listing of all of the Radioactive Material Control Officials operating under the terms of this special permit to OHMSPA. The listing must be updated within 90 days when there is a change in any of the State Radioactive Material Control Officials.

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

10. MODAL REQUIREMENTS:

a. A current copy of the shipment approval document and special permit must be carried in the cab of the motor vehicle in accordance with 49 CFR 177.817. 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.

d. The special permit number and "Radioactive" must be conspicuously marked on two opposing sides of the conveyance for both rail and highway transport.

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.

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: In addition to the reporting requirements of §§ 171.15, 171.16, and 174.750 or 177.854, a carrier must report, as soon as practicable, any incident involving a shipment in transportation under this special permit to the Associate Administrator for Hazardous Materials Safety by calling the National Response Center at 1-800-424-8802. A call must also be made to the State Radioactive Material Control Official signing the shipment approval as identified in paragraph 7.e. These telephonic notices should identify that the shipment is under DOT-SP 10656 and the nine-digit shipment approval identification number.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie
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.
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