

71-9345



International Isotopes Inc.

August 03, 2009

Attention: Document Control Desk
 Director, Division of Spent Fuel Storage and Transportation
 Office of Nuclear Material Safety and Safeguards
 U.S. Nuclear Regulatory Commission
 Washington, D.C. 20555-001

Subject: Request to Expiration Date for DOT-SP 14728

Dear Sir or Madam,

International Isotopes, Inc. submitted a request to the US Department of Transportation on March 31, 2009 to extend the expiration date for DOT Special permit, DOT-SP 14728. The request was granted on May 26, 2009.

International Isotopes, Inc. (INIS) requests an extension to Special Permit Authorization DOT-SP 14728 from September 30, 2009 to September 30, 2010 to support continued Co-60 source manufacturing activities until the AOS-100 replacement container is available. In addition to the extension we would request that the total shipments authorized are increased from 8 to 16.

ACTIVITY	STATUS	SCHEDULE	
		MILESTONES	ACTUAL
Design	The design was completed for the Oct 2007 submittal to the NRC. Comment received by the NRC on Feb 2008 did not have any impact on the design. The only design characteristic impacted was the material selection for the elastomeric seals.	10/01/2007	10/01/2007
Testing	All required testing were completed for the Oct 2007 submittal. No additional testing has been identified as the consequence of the NRC's comments on Feb 2008.	03/30/2007	03/30/2007
Application	The current expectation is to submit the Safety Analysis Report (SAR) to the NRC at the end of May 2009. This new submittal will address all NRC's comments received on Feb 2008.	11/01/2008	06/15/2009
Certification	It is expected to receive the Certificate nine (9) months to a year from the submittal date.	01/01/2010	
Production	It is expected to complete production of the packaging within 8 months. AOS is planning to make a decision to committee for production as soon as there is any indication that the design will be licensed.	07/01/2010	
Completion	At this point there are no reasons to assume that the completion date of Oct 1, 2010 will not be met.	10/01/2010	

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Extending DOT-SP-14728 and increasing the authorized number of uses would enable INIS to continue manufacturing Co-60 teletherapy and irradiator sources utilized in the treatment of cancer and industrial applications that benefit society.

As there is no change in the basis for the special permit or the safety measures that have been put in place to support the special permit a copy of the original special permit request is being provided in lieu of providing a revision. In addition, a copy of the DOT Authorization and revised special permit are attached.

Should you have any questions regarding the application, please contact me by phone at (208) 524-5300 or by email at jjmiller@intisoid.com

Sincerely,



John J. Miller, CHP
International Isotopes Inc.
4137 Commerce Circle
Idaho Falls, ID 83401

JJM-2009-46

cc:
Michele Sampson
U.S. Nuclear Regulatory Commission
Mail Stop E3 D2M
Executive Boulevard Building
6003 Executive Blvd.
Rockville, MD 20852

Application for Special Permit in Accordance with Title 49 Sub-Part B
International Isotopes, Inc.

Items required per 49 CFR § 107.105

§107.105 (a)(2)

Company Name: International Isotopes, Inc.

Address: 4137 Commerce Circle Idaho Falls, ID 83401

Name and Title of Contact Individual: John J. Miller, Radiation Safety Officer

Phone Number: (208) 524-5300

Email Address: jjmiller@intisoid.com

§107.105 (a)(3) If the applicant is not a resident of the United States, a designation of agent for service in accordance with § 105.40 of this part; and

Not Applicable

§107.105 (a)(4) For a manufacturing special permit, a statement of the name and street address of each facility where manufacturing under the special permit will occur

Not applicable

§107.105 (b) *Confidential treatment* to request confidential treatment for information contained in the application, the applicant shall comply with § 105.30(a).

Not applicable

§107.105 (c) *Description of special permit proposal* The application must include the following information that is relevant to the special permit proposal:

§107.105 (c)(1) A citation of the specific regulation from which the applicant seeks relief; International Isotopes, Inc. requests relief from Title 49 CFR §173.416 (c), *Continued use of an existing Type B packaging constructed to DOT Specification 6M, 20WC, or 21WC is authorized until October 1, 2008 if it conforms in all aspects to the requirements of this subchapter in effect on October 1, 2003.*

§107.105 (c)(2) Specification of the proposed mode or modes of transportation;

Highway/Truck; Exclusive Use

§107.105 (c)(3) A detailed description of the proposed special permit (e.g., alternative packaging, test, procedure or activity) including, as appropriate, written descriptions, drawings, flow charts, plans and other supporting documents;

International Isotopes, Inc. requests the continued use of the DOT 20WC-5/2R Specification Packaging configuration after October 1, 2008 to support shipments of Co-60 from the Department of Energy's Advanced Test Reactor to International Isotopes, Inc.'s facility located in Idaho Falls, Idaho.

The special permit would only be valid for shipments that originate at the DOE's Advanced Test Reactor, located in Scoville, Idaho and end at International Isotopes, Inc. facility located in Idaho Falls, ID. These will be

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exclusive use shipments and will travel along a designated 57.1 mile route.

The special permit would be valid for a single specific package. This package consists of (1) DOT Specification 20WC-5, Serial No. 2228 (1) DOT Specification 2R, Serial No. INIS-2R-1 and the tungsten/lead shield insert referred to as the INIS-2 Isotope Transfer Container.

These shipments will consist of 1 mm x 1mm pellets of Co-60 housed in 1 or 2 aluminum irradiation targets. The physical form of the material will be solid metal, normal form. Activity not to exceed 10,000 Ci.

The following documents are provided to support this applications:

INIS-DWG-007: Drawing of 2R Shielded Insert

INIS-DWG-019: Drawing of 2R

OP-SRC-010: Unloading and Loading 20WC5

OP-SRC-003: Loading and Unloading the INIS - 2 Isotope Transfer Container at the ATR Canal

§107.105 (c)(4) A specification of the proposed duration or schedule of events for which the special permit is sought.

International Isotopes, Inc. requests that this special permit go into effect on October 1, 2008 and remain valid for twelve months following the issuance of the certificate of compliance for the Alpha Omega Services Model AOS series of Type B (U) containers. This twelve month extension is requested so that sufficient time is provided to manufacture a Model AOS-100A to replace the 20WC-5/2R configuration and to develop the Safety Analysis Report needed that authorizes the use of the Model AOS-100A in the Department of Energy's Advanced Test Reactor canal.

International Isotopes, Inc. or the Department of Energy MOA contractor for the INL will act as the shipper of record for this special permit and would utilize International Isotopes Transportation Services as the carrier. Shipments made under the special permit will be controlled in accordance with the U.S. Nuclear Regulatory Commission's RAMQC Order, EA-05-006.

International Isotopes, Inc. anticipates shipping two targets per quarter after October 1, 2008. Each target would be shipped under this special permit for a total of 8 shipments per year.

International Isotopes Inc, plans on shipping a Co-60 target from the DOE's ATR to our Idaho Falls Facility in August 2008. We are unable to stock pile Co-60 in our facility prior to the October 1, 2008 deadline for the following reasons:

1. Targets are irradiated for a period of 18 to 30 months before they achieve specific activities sufficient enough to manufacture teletherapy sources. Target irradiations are staggered so that the desired specific activity becomes available over the course of the year.

2. Target transfers and canal operations must be scheduled during reactor outages. The next outage occurs on August, 23 2008, this is the last outage prior to October 1, 2008. Reactor outage dates are subject to change.
3. Targets are utilized shortly after they are removed from the reactor so that sources may be manufactured with the highest possible specific activities. Removing targets prematurely or before they are needed reduces the effectiveness of the Co-60 for teletherapy source manufacturing.

The earliest possible use of the special permit would occur the 3rd week of January 2009, corresponding to the first Advanced Test Reactor Outage after October 1, 2008.

§107.105 (c)(5) A statement outlining the applicant's basis for seeking relief from compliance with the specified regulations and, if the special permit is requested for a fixed period, a description of how compliance will be achieved at the end of that period;

International Isotopes, Inc. requests relief from the regulation 49 CFR §173.416 (c), so that it may continue its Co-60 source manufacturing operations.

The Alpha Omega Services Model AOS-100 Series of casks was expected to be licensed in the summer of 2008, with sufficient time to manufacture a replacement container before October 1, 2008. The following time line of events is provided to show that Alpha Omega Services and International Isotopes, Inc. had acted promptly to develop and license a replacement cask. Also note that the Model AOS-100 Series of containers was intended to replace other transportation packages that will expire October 1, 2008.

1. February 25, 2005 - Alpha Omega Services and GE Hitachi enter into an agreement to develop a new family of Type B(U) containers.
2. March 10, 2005 – Initial program meeting
3. April 29, 2005 – Project plan finalized and issued
4. May 1, 2006 – Completed scoping analysis
5. March 12, 2007 – Fabricated prototype, Model AOS-165, the largest cask in the family.
6. April 15, 2007 – Completed Type B Package testing
7. August 21, 2007 – International Isotopes, Inc. enters into an agreement with Alpha Omega Services to be the exclusive world-wide distributor of the AOS-100 Series of casks.
8. September 28, 2007 – Completed package design documentation.
9. October 12, 2007 – Completed Safety Analysis report

10. November 18, 2007 – Submitted license application to NRC
11. April 28, 2008 – At the request of the US NRC, Alpha Omega Services retracts application. The U.S. NRC believed that given the quantity of comments it would be more efficient if AOS retracted the application, addressed the comments and resubmitted the application when comment resolution was complete.
12. June 13, 2008 – NRC issues letter (Docket No. 71-9316, TAC no. L24142) acknowledging AOS's request to withdraw the application. This letter also includes NRC comments on

Continued use of the 20WC-5/2R transport configuration is necessary for International Isotopes Inc. to continue its Co-60 Source production operations. These sources are utilized in a number of beneficial medical, industrial and research applications in the United States and abroad.

On average International Isotopes, Inc. provides 5 to 6 Co-60 teletherapy sources for cancer treatment per year to less developed countries. We anticipate growth in the business segment to continue as we are one of only two teletherapy source manufacturers in North America and the demand for Co-60 teletherapy sources in less developed countries has been on the rise. International Isotopes, Inc. anticipates the need to manufacture four more teletherapy sources during the remainder of calendar year 2008, two of these sources manufactured after October 1, 2008. Each Co-60 source would be expected to treat 100 - 150 cancer patients per week.

In addition to teletherapy sources, the Co-60 produced and transferred from the DOE's Advanced Test Reactor to the International Isotopes Inc. facility in Idaho Falls is utilized in radiography sources, imaging sources employed by US Customs at US Ports of Entry to conduct cargo security scans.

It is not possible or reasonable to "break-down" a single Co-60 target into multiple Type A shipments. The Co-60 hot cell facility located at the DOE's Test Reactor Area was placed out of service in 1998 and is scheduled for decommissioning and demolition in 2009. There is no other facility on the INL site that would be capable of handling the Co-60 targets. Additionally a typical target would consist of approximately 900 Type A shipments. The packaging and transportation costs associated with 900 Type A shipments would render the Co-60 worthless.

International Isotopes, Inc. evaluated other Type B packages that could be used instead of the 2R/20WC-5 shielded insert configuration. The following criteria must be met in order for the container to be a viable alternative.

1. The container is authorized for use within the Advanced Test Reactor Canal.
2. The container is authorized for domestic use.
3. The container is authorized to transport Co-60/metal/normal form.

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4. The container cavity dimension can accommodate a ½ inch or 5/8 inch target.
5. The container dimensions do not exceed, 28 inches in diameter, 42 inches in height and 36 inches in depth.
6. The container is authorized for use or can be revalidated after October 1, 2008.

The basis for the criteria first criterion limits the number of containers that are available. The table below summarizes the containers that are currently authorized for use in the ATR canal:

Container	Authorized for use in ATR Canal	Authorized for domestic use	Meets dimensional restrictions	Cavity dimension can accommodate Target	Authorized to Transport Co-60 Target	Valid after October 1, 2008
GE-2000 USA/9228/B(U)- 96F	YES	YES	NO	YES	YES	YES
MDS Nordian F-168 X USA/0214/B(U)	YES	NO	NO	YES	YES	YES
GE-1500 USA/5939/B()F	YES (Serial #1506)	YES	NO	YES	NO	NO
GE-100 USA/5926/B()F	YES	YES	YES	NO	NO	NO
BMI-1 USA/5957/B()F	YES	YES	NO	YES	YES	NO
INIS 2R/20WC-5	YES	YES	YES	YES	YES	NO

This table does not include a Specification 6M/2R configuration with tungsten insert utilized for smaller target material.

Compliance with the regulations would be achieved once the Model AOS-100 Series of Type B(U) containers has been licensed.

§107.105 (c)(6) If the applicant seeks emergency processing specified in § 107.117, a statement of supporting facts and reasons;

Not applicable

§107.105 (c)(7) Description of the hazardous materials planned for transport under the special permit:

This special permit would only be utilized to transport Class 7 radioactive material. Nuclide, Co-60, solid metal normal form. The Co-60 is in the form of 1 mm x 1 mm nickel plated cobalt pellets. These pellets are housed in an

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aluminum irradiation target assembly which has been seal welded and leak checked. Co-60 activity would range from 7,500 Ci to 10,000 Ci.

- §107.105 (c)(8) Description of each package, including specification or special permit number, as applicable, to be used in conjunction with the requested special permit.

The package consists of 3 components; (1) the inner tungsten/lead shield, (2) the DOT specification 2R (49 §178.360), and (3) the DOT Specification 20WC-5 (49 §178.362 October 1, 2003).

- §107.105 (c)(9) For alternative packagings, documentation of quality assurance controls, package design, manufacture, performance test criteria, in-service performance and service-life limitations.

International Isotopes, Inc. maintains an NRC Approved Quality Assurance Program and performs annual preventive maintenance on the 20WC-5, the specification 2R and the shielded insert. In addition to the annual maintenance the components of this package are inspected prior to shipment and upon receipt. These inspections along with the annual maintenance are documented and maintained on file.

There was no performance testing of the 20WC-5 or 2R as these packages were manufactured to specification.

- §107.105 (c)(10) When a Class 1 material is forbidden for transportation by aircraft except under a special permit (see Columns 9A and 9B in the table in 49 CFR 172.101), an applicant for a special permit to transport such Class 1 material on passenger-carrying or cargo-only aircraft with a maximum certificated takeoff weight of less than 12,500 pounds must certify that no person within the categories listed in 18 U.S.C. 842(i) will participate in the transportation of the Class 1 material.

Not applicable.

- §107.105 (d) *Justification of special permit proposal.* The application must demonstrate that a special permit achieves a level of safety at least equal to that required by regulation, or if a required safety level does not exist, is consistent with the public interest. At a minimum, the application must provide the following:

- §107.105 (d)(1) Information describing all relevant shipping and incident experience of which the applicant is aware that relates to the application;

International Isotopes, Inc. has utilized the 20WC-5/2R with shielded insert configuration to transport Co-60 targets from the DOE's Advanced Test reactor Facility to the International Isotope Inc facility located in Idaho Falls, ID on the following dates:

7/6/06 Target # 381: 367.8 TBq

6/7/07 Target # 432: 242.2 TBq

9/6/07 Target # 428: 327.5 TBq

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3/26/08 Target # 381: 376.5 TBq

All shipments were conducted as scheduled and without incident.

§107.105 (d)(2) A statement identifying any increased risk to safety or property that may result if the special permit is granted, and a description of the measures to be taken to address that risk;

International Isotopes Inc, does not believe there is any increased risk to safety or property that may result if the special permit is granted. However the following additional controls will be taken when shipments are conducted under this special permit:

1. International Isotopes, Inc. will notify the State of Idaho, US NRC, and the US DOT of the shipment, including estimated time of departure and arrival, and transportation route.
2. Shipments conducted under this special permit will occur during daylight hours and will be scheduled to avoid peak traffic times.
3. Shipments conducted under this special permit will occur during favorable weather conditions.
4. Shipments conducted under this special permit will be escorted from the DOE's INL Site to International Isotope, Inc. facility in Idaho Falls, ID, in accordance with Idaho Administrative Code, IDAPA 39.03.12, paragraphs 400, 600, 700 and 800, copies of which are attached.
5. Escort and transport vehicle speed not to exceed posted speed limits or 50 miles per hour, whichever is lower.

§107.105 (d)(3)(i) Substantiation, with applicable analyses, data or test results, that the proposed alternative will achieve a level of safety that is at least equal to that required by the regulation from which the special permit is sought; or

Not Applicable

§107.105 (d)(3)(ii) If the regulations do not establish a level of safety, an analysis that identifies each hazard, potential failure mode and the probability of its occurrence, and how the risks associated with each hazard and failure mode are controlled for the duration of an activity or life-cycle of a packaging.

Refer to the hazard analysis table provided on the proceeding page.

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20WC-5/2R Co-60 Target Transportation Package Hazardous Analysis Table			
Potential Hazard or Failure Mode	Probability of Occurrence	Risk to Safety or Property	Mitigation
Single Vehicle Accident	Low to Moderate (weather dependent)	Damage to vehicle and property, injury to driver, jettison of cargo, breach of containment.	<ul style="list-style-type: none"> • Travel during daylight hours along designated route • Restrict vehicle operating speed, • Shipment conducted during favorable weather conditions, • Load tied down in accordance with FMCSA cargo Security Rules. • Package inspected, loaded and maintained in accordance with written procedures.
Multi Vehicle Accident	Low to Moderate (weather and traffic density dependent)	Damage to vehicles and property, injury to drivers and passengers, jettison of cargo, breach of containment.	<ul style="list-style-type: none"> • Travel during daylight hours along designated route • Restrict vehicle operating speed, • Shipment conducted during low traffic density periods • Escort vehicle used in accordance with IDAPA 39.03.12 • Shipment conducted during favorable weather conditions, • Load tied down in accordance with FMCSA cargo Security Rules. • Package inspected, loaded and maintained in accordance with written procedures
Release of radioactive material	Very Low	Spread of contamination to environment and property.	<ul style="list-style-type: none"> • 2R Containment Vessel and 20WC-5 built to specification • Co-60 contained in aluminum seal welded target housing which are leak tested prior to loading into reactor. • Package inspected, loaded and maintained in accordance with written procedures
Loss of Shielding/movement of radioactive material	Very Low	Radiation levels which would pose a threat to the public.	<ul style="list-style-type: none"> • Tungsten and lead shield 2R insert designed to house Co-60 target assembly, rated for 11,000 Ci of Co-60. • Shielded insert designed to fit snugly within the 2R containment vessel. • Co-60 pellets seal welded inside aluminum target housing, position of Co-60 pellets in target assembly fixed in position with sleeve and divots for each of the 1 mm x 1mm pellets. • Radiography of completed targets prior to loading into reactor to verify cobalt pellet placement.



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

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

SPECIAL PERMIT AUTHORIZATION

DOT-SP 14728

EXPIRATION DATE: September 30, 2010

GRANTEE: International Isotopes Inc.
Idaho Falls, ID

In response to your May 12, 2009 application for renewal of DOT-SP 14728, the grantee status to DOT-SP 14728 for International Isotopes Inc. is hereby renewed in accordance with 49 CFR § 107.109.

Copies of this special permit may be obtained by accessing the Office of Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. The most recent revision of the special permit supersedes all previous revisions of the special permit. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

If you have questions regarding this action please call the Office of Hazardous Materials Special Permits and Approvals at (202) 366-4535.

Issued in Washington D.C. on **May 26, 2009**.

Aiane LaValle

for Theodore L. Willke
Associate Administrator
for Hazardous Materials Safety

May 12, 2009



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14728
(SECOND REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of specified radioactive materials in a designated DOT specification 20WC-5 packaging after October 1, 2008, in order to allow the grantee a transition period to performance oriented package use. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - 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. 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 § 173.416(c) insofar as the 20WC-5 packaging and radioactive contents specified herein are authorized for shipments exceeding an A₂ quantity of normal form radioactive material, after October 1, 2008.
5. BASIS: This special permit is based on the application of International Isotopes Inc. dated March 31, 2009, submitted in accordance with § 107.105 and the public proceeding thereon.

May 12, 2009

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Radioactive material, transported under special arrangement, <i>non fissile or fissile-excepted</i>	7	UN2919	N/A

7. SAFETY CONTROL MEASURES:a. PACKAGING -

(i) This special permit is limited to DOT 20WC-5 Specification Packaging Serial No. 2228 containing DOT Specification 2R Serial No. INIS-2R-1 and the tungsten/lead shield insert referred to as the INIS-2 Isotope Transfer Container.

(ii) The packages must be in conformance with all aspects of the requirements of 49 CFR Subchapter C in effect on October 1, 2003.

b. OPERATIONAL CONTROLS -

(i) The package/contents combination and consignments must be as described in the application of International Isotopes, Inc. dated June 23, 2008 and the additional technical information dated August 6, 2008.

(ii) This special permit authorizes up to sixteen (16) exclusive use transports from the U.S. Department of Energy's Advanced Test Reactor located in Scoville, ID to the International Isotopes, Inc. facility in Idaho Falls, ID.

(iii) This special permit authorizes radioactive material package contents of 1 mm x 1 mm pellets of solid metal, normal form Cobalt-60 housed in either 1 or 2 seal welded and leak checked aluminum irradiation targets.

May 12, 2009

(iv) Each package may contain no more than 370 TBq (10,000 Ci) of Cobalt-60.

(v) The use, repair, and maintenance of the specification packages must be conducted in accordance with a current U.S. Nuclear Regulatory Commission Quality Assurance Program Approval.

(vi) Inspections and shipments must be conducted in accordance with the current revision of the following documents, as applicable:

- 1) OP-SRC-003, Loading and Unloading the INIS - 2 Isotope Transfer Container at the ATR Canal
- 2) OP-SRC-010, Unloading and Loading 20WC5

(vii) The State of Idaho must be notified in advance concerning the details of each shipment.

(viii) Transport must be planned during daylight hours and be scheduled to avoid peak traffic times.

(ix) Transport must be planned during favorable weather conditions.

(x) Transports must be escorted in accordance with the Idaho Administrative Code.

(xi) Escort and transport vehicle speed must not exceed posted speed limits or 50 miles per hour, whichever is lower.

(xii) As replacement packages become available that are permitted for use in accordance with 49 CFR § 173.416(a), they must be used to the extent practical in lieu of the specification package described herein.

c. COMMUNICATIONS -

(i) Each shipping paper issued in connection with a shipment made under this special permit must bear the notation "DOT-SP 14728" and be located so that the notation is clearly associated with the description to which the special permit applies.

May 12, 2009

(ii) The outside of each package used under the terms of this special permit must be plainly and durably marked "DOT-SP 14728".

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 modification or change is 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.

c. A quarterly update of package transition activities (actual vs. scheduled milestones for design, testing, application, certification, production, and completion) must be provided to the Office of Hazardous Materials Special Permits and Approvals by January 1, April 1, July 1, and October 1 of each year this special permit is in effect.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.

10. MODAL REQUIREMENTS: Motor vehicle transport must be consigned as exclusive use. A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

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.

May 12, 2009

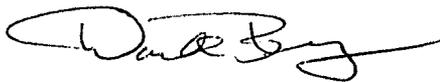
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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 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.

May 12, 2009

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: JW