

October 29, 2008



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 14766

EXPIRATION DATE: June 30, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: JL Shepherd & Associates
San Fernando, CA
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of specified radioactive materials in designated DOT Specification 20WC-3, 20WC-5, and 20WC-6 packagings 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.
 - 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 § 173.416(c) insofar as the DOT specification packagings and radioactive contents specified herein are authorized for shipments exceeding a Type A quantity of radioactive material, on or after October 1, 2008.

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5. BASIS: This special permit is based on the application of JL Shepherd & Associates dated August 27, 2008 and the additional technical information dated October 14, 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	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 -

(1) This special permit is limited to JL Shepherd & Associates DOT Specification 20WC-3 packagings serial numbers 22256 and 22259; DOT Specification 20WC-5 packagings serial numbers 22196, 22232, 22238, 22240, and 22481; and DOT Specification 20WC-6 packagings serial numbers 22027, 22080, 22160, 22280, 22281, 22422, and 22423.

(2) 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 -

(1) The package/contents combination and consignments must be as described in the application of JL Shepherd & Associates dated August 27, 2008 and the additional technical information dated October 14, 2008.

(2) This special permit authorizes up to 150 consignments consisting of up to 300 packages.

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(3) Each package may contain no more than either 240.5 TBq (6,500 Ci) of solid, encapsulated Cobalt-60 or 518 TBq (14,000 Ci) of solid, encapsulated Cesium-137.

(4) The sealed source capsule(s) must have no known or suspected defects.

(5) The sealed source capsule(s) must have a current satisfactory leak test in accordance with U.S. Nuclear Regulatory Commission or Agreement State license conditions.

(6) 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.

(7) Inspections and shipments must be conducted in accordance with the current revision of JL Shepherd & Associates QAM/QP 13.1, Inspection of Packages Used in Shipping.

(8) 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 packages described herein.

(9) Motor vehicle transport must be consigned as exclusive use.

c. COMMUNICATIONS -

(1) Each shipping paper issued in connection with a shipment made under this special permit must bear the notation "DOT-SP 14766" and be located so that the notation is clearly associated with the description to which the special permit applies.

(2) The outside of each package used under the terms of this special permit must be plainly and durably marked "DOT-SP 14766".

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) and 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.

d. A quarterly update of actual transportation activities (number of consignments and packages shipped under this special permit) 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: 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.

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- 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: 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

October 29, 2008

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: WILLIAMSJ