U.S. Department of Transportation
Research and Special Programs Administration

DEC 11 1998

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

DOT-E 11121
(THIRD REVISION)

EXPIRATION DATE: November 30, 2000

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: U.S. Department of Defense
Washington, DC

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain hazardous materials on board cargo vessels operated under the U. S. Marine Corps Maritime Prepositioning Force (MPF) program and Military Sealift Command charter utilizing alternative stowage and segregation provisions to those specified in 49 CFR Part 176. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Sections 176.83(b) Table, 176.83(f) Table, and 176.136.

5. BASIS: This exemption is based on the Department of Defense's application dated September 30, 1998, submitted in accordance with 49 CFR 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
Ammunition, Smoke, White Phosphorus	1.2H	UN 0245	II
Dangerous goods classed as Division 2.1; Class 3; Divisions 4.1, 4.2, 4.3; Divisions 5.1, 5.2; Division 6.2; Class 8	As Appropriate	As Appropriate	As Approp.

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7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging of all hazardous materials shall be in accordance with 49 CFR, Subchapter C.

b. All hazardous materials must be containerized.

8. SPECIAL PROVISIONS:

This exemption applies only to vessels operated under the U. S. Marine Corps Maritime Prepositioning Force (MPF) program and Military Sealift Command charter.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel

10. MODAL REQUIREMENTS:

a. A copy of this exemption must be carried aboard each cargo vessel used to transport packages covered by this exemption.

b. Ammunition, Smoke, White Phosphorus, UN 0245, may be stowed below deck as defined in Section 176.136.

c. Where Title 49 CFR 176.83(b) Table specifies that Segregation requirement 4 - "Separated longitudinally by an intervening complete compartment or hold from" be applied for segregation of Class 1 Explosive materials from hazardous materials classed as Division 2.1, Class 3, Divisions 4.1, 4.2, 4.3, 5.1, 5.2 and 6.2 and Class 8, Segregation requirement 3 - "Separated by a complete compartment or hold from" may be applied as an alternative. This alternative segregation requirement may be utilized in complying with the requirements in Title 49 CFR 176.83(f) Table for segregation of containers of hazardous materials.

d. Compliance with the terms of this exemption and any additional provisions shall be to the satisfaction of the Captain of the Port.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- Registration required by 49 CFR 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in 49 CFR 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by 49 CFR 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving fire, explosion or loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

For Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

12/11/98
(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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