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

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

OCT 22 2003

DOT-E 13316

EXPIRATION DATE: November 30, 2003

1. GRANTEE: General Dynamics
Hampton, AR

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time, one-way transportation in commerce of certain Division 1.1D explosive substances without marking, labels, or placards and in non-specification packagings. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Parts 172, Subpart D, E and F and § 173.62(c)

5. BASIS: This emergency exemption is based on the application of General Dynamics dated October 13, 2003, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

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6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Substances, explosive*, n.o.s. *only those approved in EX-2003090244 thru EX-20030952 and EX-2003100001 thru EX-2003100019.	1.1D	UN0475	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The Division 1.1D explosive substances must be packaged in strong outer packagings which are sift-proof. If the outer packaging is not sift-proof, the explosive substances shall first be placed in a static-resistant plastic bag.

b. OPERATIONAL CONTROL - Local or state law enforcement authorities must block all traffic on that portion of Highway 274 in the Highland Industrial Park Storage area in East Camden, AR immediately prior to and during the transportation of the Division 1.1D explosive substances covered by this exemption.

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

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. Only private carriage by company motor vehicles using company personnel is authorized for this one-time transport.

b. A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

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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 laws 49 U.S.C. 5101 et seq:

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

- Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 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 §§ 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 loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 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 in Washington, D.C.:

OCT 22 2003

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

(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.

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Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: SCWatson