U.S. Department of Transportation

Research and Special Programs Administration

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

DEC - 8 1988

DOT-E 9979
(CORRECTED COPY)

1. Department of the Treasury, Seattle, Washington, is hereby granted an emergency exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of various explosives for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transportation of several types of explosives by air which are not permitted for air shipment, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on an application from the Department of the Treasury dated May 4, 1988 and November 29, 1988, submitted in accordance with 49 CFR 107.113 based on a court order from the U.S. District Court of Fairbanks, Alaska.

3. HAZARDOUS MATERIALS (Descriptor and class).

Classed as Class A explosives:

12 pounds of Military C-4, plastic explosive (RDX - cyclotrimethylene trinitramine);

1 pound block of Military TNT (Trinitrotoluene).

2 sticks, 1-1/2 X 16", of Dupont, Tovex, a commercial watergel;

1 white phosphorus military grenade;

2 Military blasting caps, electric (detonators);

5 Dupont blasting caps electric (detonators);

2 Atlas blasting caps, electric (detonators); and

2 Dupont, E-84, fluid desensitized initiators (detonators).

Classed as Class C explosives:

173 M-70's (1-1/2" X 5/8") pyrotechnic fireworks - each unit contains approximately 0.05 grams of a perchlorate explosive mixture;

10 Seal Bombs (3-1/2" X 5/8") explosive pest control devices - each unit contains less than 4 grams of a perchlorate mixture; and

1 Dupont commercial electric squib, approximately 1/2" X 3/4",

4. PROPER SHIPPING NAME (49 CFR 172.101). Specific or generic name, as appropriate.

5. REGULATION AFFECTED. 49 CFR 172.101, 173.66, 173.86, 173.87, 175.3.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, cargo-aircraft only.

7. SAFETY CONTROL MEASURES. Packaging prescribed is:

(a). Class A explosives, except detonators will be placed in separate cardboard boxes which will be placed in a three-quarter inch thick wooden crate. The boxes will be surrounded with an incombustible material (vermiculite) for cushioning against shock. The wooden crate will be labeled with the appropriate labels.

(b). The Class C explosives will be placed in three separate cardboard boxes which will be placed in a three-quarter inch thick wooden carte. The boxes will be surrounded with an incombustible material (vermiculite) for cushioning against shock. The wooden crate will be labeled with the appropriate labels.

(c). Detonators must be loaded as far away as practicable from the other explosives.

8. SPECIAL PROVISIONS.

a. A copy of this exemption must be carried aboard each aircraft and motor vehicle used to transport packages covered by this exemption.

b. The requirements of 49 CFR 175.320(b) must apply to aircraft operations under this exemption.

c. An agent of the Bureau of Alcohol, Tobacco and Firearms must travel with the shipment as a courier.

d. This exemption authorizes a one-time shipment from Chicago, Illinois, to Anchorage, Alaska. The air carrier will be Flying Tigers.

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package must be reported to the Office of Hazardous Materials Transportation as soon as practicable.

10. EXPIRATION DATE. December 31, 1988 or upon completion of the one shipment whichever occurs first.

Issued at Washington, D.C.:

Joseph T. Herring

For Alan I. Roberts
Director
Office of Hazardous Materials
Transportation

DEC - 8 1988
(DATE)

Address all inquiries to: Director, Office of Hazardous Materials Transportation, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: FHWA, FAA