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

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

APR 1 1996

DOT-E 6985
(FOURTH REVISION)

1. U.S. Department of Energy (DOE), Washington, D.C., is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of a Division 4.1 explosive reclassified as a flammable solid for transportation in commerce subject to the limitation and special requirements specified herein. This exemption authorizes the shipment of diallyl phthalate-pyrotechnic material in various DOT specification wooden boxes, and provides no relief from any regulation other than as specifically stated. Note: Reference to 49 CFR Sections in this exemption are to regulations in effect on September 30, 1991.

2. BASIS. This exemption is based on the DOE's application dated September 20, 1995, submitted in accordance with 49 CFR 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class). Diallyl phthalate-pyrotechnic material of a percentage composition as specifically identified to, and acknowledged in writing by, the Office of Hazardous Materials Exemptions and Approvals (OHMEA) prior to the first shipment, classed as Division 4.1 (UN1325).

4. PROPER SHIPPING NAME (49 CFR 172.101). Flammable solid, n.o.s.

5. REGULATION AFFECTED. 49 CFR 173.86(a), 173.154(a)(8).

6. MODE OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed is not more than one pound net weight of the commodity packed in one outside container consisting of an aluminum case in a DOT specification wooden box as set forth in 173.154(a)(8). Packing within the case and within the wooden box must comply with Monsanto Research Corporation Drawings on file with the OHMEA.

b. The commodity (components) must be so packed in the aluminum case so as to eliminate the possibility of sympathetic initiation from one component to another. The number of components are so limited that, in the event all components were ignited simultaneously, all flame is contained and the case remains intact.

8. SPECIAL PROVISIONS. **No new construction of the packaging identified in Paragraph 7 of this exemption is authorized after September 30, 1994. As the holder of this exemption, you may request a renewal to continue the use of the packaging, manufactured prior to September 30, 1994, however, the exemption will not carry an expiration date subsequent to September 30, 1996 since use of the packaging is prohibited after that date. This is consistent with the transitional provisions of 49 CFR Section 171.14 and the implementation of the new packaging requirements adopted under Docket HM-181.**

9. 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 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.

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

10. 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. (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.

11. EXPIRATION DATE. September 30, 1996.

Issued at Washington, D.C.:

APR 1 1996

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

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

The original of this exemptions 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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