U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JAN 21 1997

DOT-E 6999
(SECOND REVISION)

1. The U.S. Department of Defense, Falls Church, VA, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to load Class 1 (Explosive) materials in the manner prescribed herein subject to the limitations and special requirements specified herein. This exemption authorizes hatches to remain open overnight under certain conditions, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on U.S. Department of Defense's application dated July 22, 1996 submitted in accordance with 49 CFR 107.109.

3. HAZARDOUS MATERIALS. Class 1 (Explosive) materials.

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

5. REGULATION AFFECTED. 46 CFR 176.182(g).

6. MODE OF TRANSPORTATION AUTHORIZED. Cargo vessel.

7. SAFETY CONTROL MEASURES.

a. Cargo loading hatches of vessels being loaded with Class 1 (Explosive) materials may remain open overnight under conditions which have been specifically approved by the Department of Defense.

b. Hatches must be closed during adverse weather conditions and when loading is discontinued on weekends and holidays.

c. A security watch must be posted whenever the terms of this exemption are exercised.

8. SPECIAL PROVISIONS. A copy of this exemption must be on board each vessel being loaded under the terms of this exemption.

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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 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 107.106 et seq., when applicable.

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may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

10. 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 exemptions.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

11. EXPIRATION DATE. December 31, 1998.

Issued at Washington, D.C.:

for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

January 21, 1997
(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: DHM-31.

Dist: USCG

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.