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

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

DEC 28 1994

DOT-E 10336
(SECOND REVISION)

EXPIRATION DATE: March 31, 1996

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Morton International, Inc., Ogden, UT

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain propellant explosives, solid in steel drums without Ex-numbers or product code markings within aluminum or plastic overpacks. 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 172.320, 173.28(b)(4), 173.62.

5. BASIS. This exemption revision is based on Morton International, Inc.'s applications dated April 5 and 18 and October 25, 1994, submitted in accordance with 49 CFR 107.103 and the public process thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
Propellant explosive, solid	1.3C	NA0274	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a 3.5 gallon steel drum conforming to DOT Specification 37A80 or a UN standard packaging 1A2/Y36/S. Packagings for UIX Igniter Powder is a "VELOSTAT" conductive plastic receptacle containing not more than one pound of powder. Steel drums must be placed in outside aluminum or plastic overpacks as shown in drawings contained in the petitioner's application on file with the Office of Hazardous Materials Exemptions and Approvals.

b. MARKING - In lieu of the marking requirements contained in 49 CFR 172.320, each overpack must bear a 1.3C label and be marked as follows:

PROPELLANT EXPLOSIVE, SOLID
NA0274
DOT-E10336

8. SPECIAL PROVISIONS.

a. The 37A80 and the 1A2/Y36/S steel drums may be reused without meeting the minimum thickness requirements specified in 49 CFR 173.28(b)(4) as long as they will contain their ladings as well as new drums. The two types of packages may be mixed in the aluminum or plastic overpack.

b. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.

c. This exemption authorizes the private transportation only between Morton International manufacturing facility located 27 miles west of Brigham City and Morton International buildings in Brigham City and Ogden, Utah, per the routing described in the June 6, 1990 supplemental information letter.

d. No new construction of the DOT Specification 37A drums identified in paragraph 7 of this exemption is authorized after September 30, 1994 and no use of the subject drums is authorized after September 30, 1996.

9. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

10. MODAL REQUIREMENTS:

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

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. 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 may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect unless a regulation has been amended making the exemption no longer necessary.

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.:

DEC 28 1994

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, 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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