April 1, 2011

U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

DOT-SP 3498
(SIXTEENTH REVISION)

EXPIRATION DATE: January 31, 2015

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: U.S. Department of Defense (DOD)
Scott AFB, IL

2. PURPOSE AND LIMITATION:

a. This special permit authorizes the transportation in commerce of fueled combat and other military vehicles loaded with ammunition basic load (ABL), accessory ammunition, and other hazardous materials in periods of declared national emergency, or during contingencies requiring expedited movement of U.S. forces as approved by the appropriate command authority. This special permit does not apply to military exercises or maneuvers re-supply or retrograde movements. This special permit provides no relief from the Hazardous Material Regulations other than as specifically stated herein. The most recent revision supersedes all previous revisions.

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

c. Party status will not be granted to this special permit.

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

4. REGULATIONS FROM WHICH EXEMPTED: Parts 172 and 174; § 176.3; Subparts B, C, D, F, H, I, J, L, M, N, O of Part 176; and Part 177, except as specified herein.

5. BASIS: This special permit is based on the application of U.S. Department of Defense dated February 9, 2011 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS: Vehicles loaded with military explosives - classed as Divisions 1.1, 1.2, 1.3, 1.4, 1.5 and 1.6, and other hazardous materials essential for military operations. Each hazardous material must be identified on the shipping papers as prescribed by Part 172, Subpart C.

7. SAFETY CONTROL MEASURES:

a. PACKAGING:

i. Ammunition must be transported in standard DOD packaging, or packagings complying with the provisions of § 173.7. Fuzes (if removable) must be in separate packagings.

ii. Fuel tanks of vehicles may not be filled to more than 75% of their capacity, including containerized vehicles equipment.

iii. Additional fuel may be carried on vehicles in required DOD or DOT 5 gallon packagings only if: (1) packagings are secured in the vehicles in built-in cradles designed for such purpose, or (2) packagings are carried in vehicles using standard DOD securing procedures. This paragraph does not apply to diesel fuel which may be carried in any packaging meeting DOD specifications.

b. STOWAGE:

i. Loading and stowage of military explosives and other hazardous materials within vehicles must be in accordance with procedures established by the DOD. Such stowage must, in all instances, be sufficient to prevent shifting or movement of cargo in any direction during transportation. Vertical restraint is not required if the shape of the packages, loading pattern, and horizontal restraint preclude vertical movement of the load within the vehicle.

ii. If the holds or compartments in which vehicles are loaded are mechanically ventilated, the restriction specified in § 176.905(c) pertaining to connected battery cables does not apply.

iii. For containerized vehicles or equipment, (1) the battery cables must be disconnected and secured to prevent sparks or ignition, (2) the containers will be marked in accordance with § 176.905(k), and (3) the container will be stowed in a mechanically ventilated hold or compartment, or stowed above deck.

iv. Vehicles subject to this special permit may be transported on open body/open top motor vehicles or on open body/open top rail cars on vessels, so secured that they cannot permanently change position during transit.

8. SPECIAL PROVISIONS:

a. This special permit applies only to emergency movements during a declared national emergency, or during contingencies requiring expedited movement of U.S. forces as approved by the appropriate command authority and directed by the Commander, Military Traffic Management Command.

b. A Dangerous Cargo Manifest (DCM) is required for explosives and other hazardous materials carried aboard the vessels under this special permit.

c. The special permit from provisions of 49 CFR Parts 172 (other than a DCM required by 8b), 174, 176 and 177 applies only when shipments are accompanied by DOD personnel.

d. For the cargo vessel portion of the movement, where it is shown to the satisfaction of the Coast Guard Captain of the Port having jurisdiction, that it is impractical to comply with specific requirements in Parts 100-179, or any provision of this special permit, the Captain of the Port may issue a written waiver of that requirement. A copy of the waiver must accompany the special permit on the affected vessel. Copies must also be provided to the

Associate Administrator for Hazardous Materials Safety and Headquarters, Military Traffic Management Command, by the Captain of the Port.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle and cargo vessel used to transport packages covered by this special permit. Also, for shipment by rail freight, a current copy of this special permit must be filed with the rail carrier.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171.180.

- Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

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

Each "Hazmat employee", as defined in § 171.8 who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term “exemption” to “special permit” and authorizes a special

permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:

for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

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