U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

OCT 19 1990

DOT-E 10482

1. U. S. Department of Energy, Washington, D. C., is hereby granted an emergency exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of the hazardous materials described in paragraph 3 below for transportation in commerce, subject to the limitations and special requirements specified herein. This exemption authorizes one-time shipment of aged picric acid and diethyl ether in a specially designed bomb basket and trailer, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on the U. S. Department of Energy's application dated October 5, 1990, submitted in accordance with 49 CFR 107.113 and a determination that it is necessary for protection of life and property.

3. HAZARDOUS MATERIALS (Descriptor and class). Picric acid or Diethyl ether, classed as Class A explosives.

4. PROPER SHIPPING NAME (49 CFR 172.101). High explosive.

5. REGULATION AFFECTED. 49 CFR Part 107, Appendix B (1), 172, Subparts D and E, 173.51, 173.65.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES. Packagings prescribed are eight bottles containing an estimated total quantity of not more than 2,350 grams of picric acid and four bottles containing an estimated total quantity of not more than 975 grams of diethyl ether. The bottles must be handled by a specially designed remote controlled robot, which will place the bottles in a bomb basket to be loaded in a bomb trailer. The basked must be secured in the trailer in a manner which will prevent movement during transportation. Not more than three bottles of a maximum quantity of 800 grams shall be placed in the bomb basket at one time.

8. SPECIAL PROVISIONS.

a. The material shall be transported during non-peak (0400 - 0600 and 1800 - 2000 hours) traffic periods during dry weather conditions and in accordance with all the traffic control procedures described in page 4 of the application.

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

c. The shipper must comply with the shipping paper and placarding requirements of 49 CFR Part 172, Subpart C and F, however, the marking and labeling requirements of Part 172, Subpart D and E and Subpart 107, Appendix B (1) are waived.

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

10. EXPIRATION DATE. December 5, 1990.

Issued at Washington, D.C.:

OCT 19 1990

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, D.C., 20590. Attention: Exemptions Branch.

Dist: FHWA.