U.S. Department
of Transportation

**Research and
Special Programs
Administration**

AUG 1 1997

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

DOT-E 11512
(SECOND REVISION)

| EXPIRATION DATE: **July 1, 1999** |
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(FOR RENEWAL, SEE 49 CFR SECTION 107.105)

1. GRANTEE: Alaska Eskimo Whaling Commission
Barrow, AK.

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of approximately 150 pounds of Black powder, Division 1.1D and Powder, smokeless, Division 1.3C by cargo aircraft only. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-2180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Section 172.101, Table, column (9B), 175.30(a)(1).

5. BASIS: This exemption is based on the application of the Alaska Eskimo Whaling Commission dated June 11, 1997 submitted in accordance with 49 CFR 107.105 and the public proceeding thereon and 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous materials description -- proper shipping name | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Black powder | 1.1D | UN0027 | II |
| Powder, smokeless | 1.3C | UN0161 | II |

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. Packaging consists of a Specification 4G box containing 25 1-pound cans of black powder per box. No more than six (6) boxes for a total of 150 pounds are authorized per shipment or;

b. Packaging consists of a Specification 4G box containing 10 1-pound plastic containers of powder, smokeless per box. No more than fifteen (15) boxes for a total of 150 pounds are authorized per shipment.

c. Only whole cases of powder in unopened manufacturer's packagings are authorized for shipment under the terms of this exemption.

d. The requirements of 49 CFR Section 175.320(b) apply to shipments made under the terms of this exemption.

8. SPECIAL PROVISIONS:

a. Shipment is to originate at Fairbanks, Alaska destined for Barrow, Alaska and further air delivery to final destination points. The air carrier is Cape Smythe Air Service, Barrow, Alaska. The air carrier is required to provide the FAA Alaskan Region Hazardous Materials Coordinator with a copy of his request for Airport safety assistance at Fairbanks International Airport and their agreement to provide such support.

b. No other cargo is authorized aboard the aircraft.

c. The shipper, Down Under Guns, Fairbanks, Alaska, is required to comply with the regulations for vehicular transportation of black powder or powder, smokeless found at CFR 49 Part 177.804 and CFR 49 Part 397.19, including placarding the vehicle, carriage of shipping papers, a written route plan, and emergency response information on board the vehicle. The shipper shall provide the FAA Alaskan Region Hazardous Materials Coordinator with a copy of all shipping papers for review prior to the transportation of the black powder aboard an aircraft.

9. MODES OF TRANSPORTATION AUTHORIZED: cargo aircraft only.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard the aircraft used to transport packages covered by this exemption. The shipper shall furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

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

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.:

AUG 1997

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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