AUG 31 1999

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

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

DOT-E 12144

EXPIRATION DATE: July 31, 2001

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Sea-Land Service, Inc.
Charlotte, NC

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the grantee to transport by vessel freight containers exceeding 6 meters (20 feet) in length that have been loaded with more than 5000 kg (11,023 pounds) net explosive weight of certain Class 1 (explosive) substances as defined in 49 CFR § 176.2. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

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

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 176.170(b) in that freight containers exceeding 6 meters in length may carry more than 5,000 kg net explosive weight.

5. BASIS: This exemption is based on the application of Sea-Land Service, Inc., dated August 17, 1998, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Proper Shipping Name/ Hazardous Materials Description | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Various Explosives | Divisions 1.3, 1.5,1.6 | Various | II |

7. SAFETY CONTROL MEASURES: None, other than as required by the HMR.

8. SPECIAL PROVISIONS:

a. The provisions of this exemption do not apply to freight containers exceeding 40 feet in length.

b. A person who is not a holder of this exemption who receives a freight container covered by this exemption may reoffer it for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel used to transport freight containers 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 § 107.601 et seq., when applicable.

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

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may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

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12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 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 incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

AUG 31 1999

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.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

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