U.S. Department
of Transportation

**Research and
Special Programs
Administration**

MAY 18 1999

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

DOT-E 12185

EXPIRATION DATE: **June 15, 1999**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Dyno Nobel, Inc.
   Salt Lake City, UT

2. PURPOSE AND LIMITATION:

   a. This exemption authorizes the one-time transportation in commerce of certain unused explosives in their original or UN packaging to a waste disposal facility. This exemption provides no relief from any Hazardous Materials Regulation (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 §§ 171.14, 173.56 and 173.62 as to the examination, classification and packaging of these unused explosive products.

5. BASIS: This exemption is based on the application of Dyno Nobel, Inc. dated November 5, 1998, submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Waste ammonium perchlorate	1.1D	UN0402	II
Waste black powder	1.1D	UN0027	II
Waste charges, propelling, for cannon	1.3C	UN0242	II
Waste charges, supplementary explosive	1.1D	UN0060	II
Waste cord, detonating	1.1D	UN0065	II
Waste cord, detonating	1.4D	UN0289	II
Waste powder, smokeless	1.3C	UN0161	II
Waste substances, explosive, n.o.s.	1.1D	UN0475	II
Waste substances, explosive, n.o.s.	1.3C	UN0477	II

7. SAFETY CONTROL MEASURES:

PACKAGING - Packagings are as described in the application for each product as identified in the table titled Magazine F Inventory dated November 5, 1998. The containers will consist of certification packaging, or packaging that was approved prior to HM 181, as long as it is in good condition.

8. SPECIAL PROVISIONS:

a. The one-time shipment authorized under this exemption is for the excess inventory identified in the application. The total weight of these products must be less than 1,000 pounds. No other cargo is authorized in the trailer.

b. The products with known EX-numbers must be so identified on the packages and on the shipping paper.

c. The transportation will be performed by Dyno Nobel Transportation, Incorporated from Dyno Nobel, Inc's. facility at Port Ewen, NY to the waste disposal facility operated by Safety-Kleen at Colfax, LA.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard the motor vehicle used to transport the explosives covered by this exemption.

b. The motor vehicle shall be placarded as Division 1.1D explosives.

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 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 at Washington, D.C.:

MAY 18 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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