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

MAY 14 2002

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

DOT-E 13007
(FIRST REVISION)

EXPIRATION DATE: **August 31, 2002**

1. GRANTEE: Slurry Explosive Corporation
Pryor, OK

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time, one-way transportation in commerce of approximately 650 UN1G fiber drums that are filled with Propellent, solid or Powder, smokeless to a gross mass greater than the maximum gross mass marked on the drum. 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 § 172.301(c) in that the mis-marked drums are not required to be marked with the exemption number; and § 173.24a(b)(2) in that certain drums are filled with a hazardous material to a gross mass greater than the maximum gross mass marked on the drums.

5. BASIS: This emergency exemption is based on the application of Slurry Explosive Corporation dated May 8, 2002, submitted in accordance with § 107.117 and a determination that it is necessary in order to preclude serious economic loss. This revision is based on a letter dated May 13, 2002.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Powder, Smokeless	1.3C	UN0161	II
Propellant, solid	1.3C	UN0499	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are approximately 650 UN1G fiber drums that are palletized, nine to a pallet and stretch-wrapped. Within the pallet loads, some drums exceed the gross mass marked on the drum.

b. OPERATIONAL CONTROLS -

(1) Transportation must be in Slurry Explosive Corporation's owned and operated vehicles.

(2) Transportation will originate in Camden, AR and terminate at a processing plant near Hallowell, KS.

8. SPECIAL PROVISIONS: A current copy of this exemption must be maintained at the facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages 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.

- o 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.

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.:

J. Suzanne Hedgpeth

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAY 14 2002
(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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: AM/DBurger