DEC 07 1998

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 8086
(THIRD REVISION)

EXPIRATION DATE: November 30, 2000

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: The Boeing Company
Information, Space & Defense Systems
Seattle, Washington

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain cruise missiles containing hazardous materials. 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. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 172.101, 172.301, 173.61 and 173.150.

5. BASIS: This exemption is based on the application of the Boeing Company dated October 27, 1998, submitted in accordance with 49 CFR 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Fuel, aviation, turbine engine	3	UN1863	as appro- priate

7. SAFETY CONTROL MEASURES: Inside packaging prescribed for the Class 3 liquid is non-DOT specification welded or bolted aluminum tank constructed in accordance with Boeing's drawings 232-31043 (8-2-78), 232-31039 (8-77), 232-31039 (8-77), and 232-31039 (8-77); or drawings 232-11899, 232-30601 thru 232-30605, 232-31043, and 232-31245 on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). The outside packaging must be a wooden box constructed in accordance with Boeing drawing SC 2182002-101 (4-3-78) on file with the OHMEA.

8. SPECIAL PROVISIONS:

a. Before each shipment the 200-gallon fuel tank must meet the inspection and test criteria in accordance with Boeings specifications on file with the OHMEA.

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

c. Each outside container must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 8086". In addition, the outside shipping container must be marked with the proper shipping name and identification number.

d. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

e. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A 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. 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.

    Each "Hazmat employee", as defined in 49 CFR 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 49 CFR 172.700 through 172.704.

    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 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 incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

R. Ryan for

for Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

12/7/98
(DATE)

Address all inquiries to: Associate Administrator for Hazardous

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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, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

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