

June 30, 2011



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 868
(TWELFTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes exceptions to requirements for carrier inspection of the method of manufacture, inspection of the packaging, inspection of the vehicle, etc., for the transportation in commerce of certain Division 1.1, 1.2 and 1.3 explosives, subject to the limitations and special requirements herein. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 174.9 and 174.104(f) in that alternative carrier inspection is authorized.
5. BASIS: This special permit is based on the Pipeline and Hazardous Materials Safety Administration's (PHMSA) editorial review under § 107.121 initiated on December 4, 2008.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|---|-------------------------------|------------------------------|----------------------|
| Proper Shipping Name | Hazard Class/ Division | Identification Number | Packing Group |
| Division 1.1 through 1.3 Military ammunition and explosives subject to security considerations | 1.1, 1.2 and 1.3 | As appropriate | As appropriate |

7. SAFETY CONTROL MEASURES:

- a. Explosives must be packaged in accordance with § 173.62 or containers of equal or greater strength and efficiency as required by DOD regulations.
- b. Explosives may only be loaded, blocked and braced by DOD or a DOD contract shipper holding active grantee status to this special permit (see individual authorization letter).
- c. Execution of car certificate No. 2 by the rail carrier or his/her representative is not required. Alternatively, the DOD shipper must write or stamp on the car certificate "FINAL INSPECTION MADE UNDER DOT-SP 868."
- d. If breakage of seals is deemed necessary for any reason, the carrier must follow the instructions furnished by the consignor at the time of shipment.

8. SPECIAL PROVISIONS:

- a. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
- b. The relief provided in this special permit is limited to shipments made by or made for the U.S. Department of Defense. This special permit does not authorize its use for commercial purposes such as mining and gas exploration.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight. Trailer-on-Flat-Car service is not authorized.

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

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

 - 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 special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- "The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

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12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR 171.15 Immediate notice of certain hazardous materials incidents, and § 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

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

PO: TG