U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 6 1996

DOT-E 8958
(TENTH REVISION)

EXPIRATION DATE: March 31, 1998 (See Appendix A for PTE expiration dates)

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: GOEX, Inc., Moosic, Pennsylvania (See Appendix A of this exemption)

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of limited quantities of certain Division 1.1D explosives (black powders) in prescribed packagings as Division 4.1 flammable solid. This exemption provides no relief from any regulation other than as specifically stated herein.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Section 172.101(c) insofar as UN0027 and UN0028, "black powder" are classed as Division 1.1D substances.

5. BASIS: This exemption is based on the GOEX, Inc.'s letters dated March 18, 1996 and April 10, 1996, submitted in accordance with 49 CFR 107.105. (See Appendix A of this exemption.)

EXPIRED
Renewal Withdrawn 2/24/98 AeroTech. Inc.
Exemption incorporated into the HAZMAT Regs.
HM181 (61 FR 50616 + 62 FR 14334) no longer needed
by GOEX Inc.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class or Division	Identification number	Packing Group
Flammable solid, inorganic, n.o.s. (not more than 100 pounds of black powder)	4.1	UN3178	I
For transitional purposes, the following description may be used through December 31, 1998: Flammable solid, n.o.s. (black powder for small arms)	4.1	UN1325	II

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING -

i. INNER PACKAGING - Metal or heavy wall conductive plastic receptacles with positive metal or conductive plastic closures containing not more than 454 grams(1 pound) of black powder each.

ii. OUTER PACKAGING - Fiberboard box containing not more than 25 inner packagings per box. The inside packagings must be arranged and protected with suitable means so as to prevent simultaneous ignition of the contents. The following fiberboard boxes are authorized:

- Specification 4G/X
- Specification 4G/Y until December 31, 1998
- DOT specification 12H fiberboard box constructed of 275 lb. test fiberboard until September 30, 1996

b. Operational Control - Not more than 100 pounds materials (black powder) shipped under this exemption may be carried on any motor vehicle, rail car, or cargo vessel at one time.

8. SPECIAL PROVISIONS:

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. Each outside packaging shipped under this exemption shall show "DOT-E 8958" in no less than 2.5 cm (1 inch) high lettering.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each motor vehicle and cargo vessel 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.

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 fire, explosion or 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 incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

for Marilyn E. Morris

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

JUN 6 1996
(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.

Dist: FHWA, FRA, USCG