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

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

NOV 3 1995

DOT-E 9431
(SECOND REVISION)

EXPIRATION DATE: **October 1, 1997**

(FOR RENEWAL, SEE 49 CFR SECTION 107.105)

1. GRANTEE: U. S. Department of Defense
Falls Church, VA

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain Division 1.1D and 1.3C explosive substances and/or articles mix-packed in a non-specification outer packaging. 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 Part 173.62(c) Table insofar as the Packing Methods for the explosive substances or articles listed in the Hazardous Materials Table in Section 6 below.

5. BASIS: This exemption is based on the application of the U.S. Department of Defense dated July 31, 1994, submitted in accordance with 49 CFR 107.105.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Explosive, blasting, Type A	1.1D	UN0081	II
Explosive, blasting, Type E	1.1D	UN0241	II
Trinitrotoluene	1.1D	UN0209	II
RDX, desensitized	1.1D	UN0483	II
Cord, detonating	1.1D	UN0065	II
Powder, smokeless	1.3C	UN0161	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. Inner Packaging: Metal M19A1 military ammunition can, with sufficient plastic cushioning material to prevent movement of the substances.

b. Outer Packaging: a military specification wooden box, MIL-B-2427(mod.), Type 2, Class 3, Grade A, NSN 8140 01 194 8044, containing not more than eight ammunition can inner packagings and with dividers placed between the cans to prevent movement within the outer packaging.

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

c. Shipments by cargo-only aircraft are limited to and subject to the terms of DOT-E 7573.

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

10. MODAL REQUIREMENTS:

A copy of this exemption must be carried aboard each cargo vessel, cargo aircraft or motor vehicle used to transport packages covered by this exemption. In accordance with the provisions of 49 CFR Part 107, Appendix B to Subpart B, paragraph 3, the shipper shall furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

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

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.:

NOV 3 1995

Suzanne Hedgepeth

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.

Dist: FAA, FHWA, USCG, FRA
PO:SCW