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

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

DOT-E 9865
(SECOND REVISION)

JUL 31 1992

1. ICI Explosives Inc., (formerly Atlas Powder Company), Dallas, Texas, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of a Class A explosive for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transportation of an aqueous solution of a Class A explosive in a DOT Specification 17H or 6D (gasket required) drum with a DOT Specification 2S polyethylene liner in temperature controlled vans, and provides no relief from any regulation other than as specifically stated. References to 49 CFR sections in this exemption are to regulations in effect on September 30, 1990.

2. BASIS. This exemption is based on an applications from ICI Explosives Inc., (formerly Atlas Powder Company) dated October 16, 1991 and supplemental letter dated April 24, 1992, submitted in accordance with 49 CFR 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class). An aqueous solution not exceeding 50% by weight of ethylene diamine dinitrate (EDDN) classed as Class A explosive.

4. PROPER SHIPPING NAME (49 CFR 172.101). High explosive.

5. REGULATION AFFECTED. 49 CFR 173.65.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a DOT Specification 17H or a 6D (gasket required) steel drum with a DOT Specification 2S polyethylene liner. Drums containing the EDDN solution must be transported in vans in which the temperature is maintained between 80° and 100°F.

8. SPECIAL PROVISIONS.

a. Persons who receive 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. A copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

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

d. Motor carriers transporting materials under the terms of this exemption must hold a "Satisfactory" safety rating, as prescribed in Part 385 of 49 CFR.

9. REPORTING REQUIREMENTS. Any incident involving fire, explosion or loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.)

10. EXPIRATION DATE. October 31, 1993.

Issued at Washington, D.C.:

JUL 31 1992

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: Exemptions Program.

Dist: FHWA.