

January 31, 2006



U.S. Department
of Transportation

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

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 10897
(SEVENTH REVISION)

EXPIRATION DATE: December 31, 2009

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: U.S. Department of Defense
Alexandria, Virginia
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation of a water reactive material in special packaging without being labeled or marked with the proper shipping name, and when in the quantities specified herein, in transport vehicles or freight containers that are not placarded with Division 4.3 placards. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.301 in that the proper shipping name marking is waived, § 172.400 in that labeling is waived, § 172.504(a) in that placarding is waived under certain conditions, and § 173.211 in that non-DOT specification packaging is not authorized, except as specified herein.

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5. BASIS: This special permit is based on the application of U.S. Department of Defense dated October 31, 2005, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Water-reactive solid, n.o.s. (Magnesium-iron alloy)	4.3	UN2813	I

7. SAFETY CONTROL MEASURES:

a. Packaging prescribed is a non-DOT specification packaging as described below -

(1) Each Flameless Ration Heater is hermetically sealed in a 2.5 mil high density polyethylene bag.

(2) Twelve of these units are shrink wrapped in a polyethylene sleeve.

(3) Twenty-four shrink-wrapped packs are assembled in three rows of eight into a fire-retardant fiberboard box. This packaging is shown in detail in Attachment 3 to the application.

(4) The gross weight of the bulk pack unit may not exceed 30 pounds.

(5) Palletized unit loads of bulk pack units are strapped tightly to the pallet base, capped with weather resistant fiberboard and wrapped in polymeric stretch or shrink wrap material.

b. OPERATIONAL CONTROLS

(1) The requirements to mark the package with the proper shipping name and label it with the hazard warning label are waived.

(2) The placarding requirements of § 172.504 pertaining to Division 4.3 materials are waived when the

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aggregate gross weight of packages covered by this special permit in any transport vehicle or freight container does not exceed 100 kg (220 pounds), and the transport vehicle or freight container contains no other material requiring Division 4.3 placards.

(3) Each package must be marked with the special permit number as required by § 172.301(c).

8. SPECIAL PROVISIONS:

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

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

c. Shipping papers displaying 'DOT-E 10897' may continue to be used until October 1, 2007, provided the special permit remains valid.

d. Packagings permanently marked 'DOT-E 10897', prior to October 1, 2007 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packagings marked on or after October 1, 2007 must be marked 'DOT-SP 10897'.

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

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle, cargo vessel and aircraft used to transport packages covered by this special permit. The shipper must furnish a current copy of this special permit to the air carrier before or at the time the shipment is tendered.

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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 this 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.

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

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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.:

A handwritten signature in blue ink, appearing to read "Robert A. McGuire".

for Robert A. McGuire
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: kh