



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

**October 24, 2023**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DOT-SP 20942  
(THIRD REVISION)

**EXPIRATION DATE: 2026-02-28**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Better Horse Inc.  
Virginia Beach, VA
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of the Division 1.4S articles specified herein as limited quantities. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Maritime Dangerous Goods (IMDG) Code 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. No party status will be granted to this special permit.
  - d. This special permit serves as an “exemption” under Chapter 7.9, Section 7.9.1 of the IMDG Code (see IMO MSC/Circ. 1075-Granting Exemptions from the Provisions of the IMDG Code) and as a “Competent Authority Approval” as defined under 49 CFR § 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180 and the IMDG Code.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Hazardous Materials Table Column (8A), § 173.63(b), and Column (7a) of the Dangerous Goods List in the IMDG Code in that the articles are authorized to be transported as limited quantities; § 172.200(a) in that a shipping paper is not required, except as specified herein; § 172.320(a) in that each package is not required to be marked with the EX number for the article contained therein; § 172.400(a) and Chapter 5.2 of the IMDG Code in that each package is not required to be labeled with a Class 1 label for the article contained

therein; § 172.500(a) and Chapter 5.3 of the IMDG Code in that shipments are not subject to placarding requirements; and § 173.60(a) and Section 4.1.1.17 of the IMDG Code in that the explosive article may be packaged in packagings that meet Packing Group III requirements, as provided herein.

5. BASIS: This special permit is based on the application of Better Horse Inc. dated March 11, 2022, submitted in accordance with § 107.105 and the public proceeding thereon and additional information dated November 16, 2022, and October 12, 2023.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Articles, pyrotechnic <i>for technical purposes</i> *	1.4S	UN0432	N/A

\*Limited to articles manufactured by Better Horse, Inc. and approved under EX2018032070 (“Pull Start Fire”, Revision 5 – dated 03/15/2018).

7. SAFETY CONTROL MEASURES:

- a. PACKAGING: The following packaging is assigned:

- (1) Inner Packaging: Bags, heat-sealed 100-gauge plastic containing a tightly packed single (1) article.
- (2) Intermediate Packaging: Boxes, fiberboard, each containing not more than three (3) inner packagings.
- (3) Outer packaging: UN 4G fiberboard box, each containing not more than sixty (60) intermediate packagings.
- (4) The completed package must meet Packing Group III requirements.
- (5) Each package may not exceed 30 kg gross weight.

b. OPERATIONAL CONTROLS:

- (1) The party popper initiator must be housed in a minimal 2 mm thick polycarbonate housing to prevent inadvertent activation.
- (2) The ignition composition is restricted to the formulation tested.

(3) The outside of each package must be plainly and durably marked as a limited quantity in accordance with § 172.315(a) and Section 3.4.5 of the IMDG Code, except that the package may not display the limited quantity “Y” marking even if conforming to § 173.27(f).

(4) When transported aboard cargo vessel, shipments are subject to the shipping paper requirements in Subpart C of Part 172 and Chapter 5.4 of the IMDG Code.

(5) When transported aboard cargo vessel, the hazardous materials covered by this special permit must comply with the Class 1 segregation and stowage requirements in §§ 176.83, 176.84, 176.116(a) through (d), 176.144(a), and 176.170.

8. SPECIAL PROVISIONS:

a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).

b. 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 modification or change is made to the package and it is reoffered for transportation in conformance with this special permit, the HMR, and the IMDG Code.

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

d. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of countries of origin, transit, and destination.

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

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel 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 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 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 William Schoonover  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-13, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: KLEM/NICKS