



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

May 10, 2022

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21357

EXPIRATION DATE: 2022-11-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Gateway Pyrotechnic Productions, LLC
Saint Louis, MO
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the transportation in commerce of unapproved explosives seized by Customs and Border Patrol in the Port of Oakland California. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, risks associated with storage, or other uses not 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 § 173.56 in that a new explosive must be tested and approved; and § 173.60 (a) in that explosives must be transported in UN specification PG II outer packagings, except as provided herein.
5. BASIS: This emergency special permit is based on the application of Gateway Pyrotechnic Productions, LLC dated April 12, 2022, submitted in accordance with § 107.117 and the determination it is necessary to protect life and property.

Tracking Number: 2022044341

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Articles, pyrotechnic for technical purposes*	1.3G	UN0430	N/A

*This classification is only valid when packaged in accordance with paragraph 7.a. and all terms and provisions of this special permit are met.

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Prescribed packagings are UN 4G fiberboard boxes, or non-specification fiberboard boxes, each containing not more than thirty-two (32) articles in their retail packaging. The above packagings must be palletized and appropriately loaded, blocked, and braced to prohibit movement during transport.

b. OPERATIONAL CONTROLS:

(1) This permit is valid for one-time/one-way transport of up to two truckloads of seized counterfeit explosives from the Port of Oakland, CA to a site for storage or disposal in St. Louis, MO.

(2) An appropriate transportation route must be selected that minimizes risks by evaluating environmental hazards, high population areas, and maximum efficiency.

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

9. MODES OF TRANSPORTATION AUTHORIZED: Dedicated motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle 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 Materials 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: ae