

May 08, 2023



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DOT-SP 21554

**EXPIRATION DATE: 2023-10-31**

(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 seized suspected counterfeit explosives from Denver, CO to St. Louis, MO. 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 need not be tested and approved; and § 173.60(a) in that explosives need not be transported in UN standard Packing Group II outer packagings.
5. **BASIS:** This emergency special permit is based on the application of Gateway Pyrotechnic Productions, LLC dated April 20, 2023, submitted in accordance with § 107.117 and the determination it is necessary to protect persons or property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

<b>Hazardous Material Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identifi- cation Number</b>	<b>Packing Group</b>
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 or non-specification fiberboard boxes.

b. OPERATIONAL CONTROLS:

(1) The packages must be blocked and braced to prohibit movement during transport.

(2) This permit is valid for the one-time/one-way transportation in commerce of a twenty-foot long intermodal container containing seized suspected counterfeit explosives from Denver, CO to St. Louis, MO.

(3) While in transportation, the explosives must be attended to at all times.

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

(5) The grantee must be the carrier under the terms of this special permit.

8. SPECIAL PROVISIONS: A current copy of this special permit must be maintained at each facility where the intermodal container 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: KLEM