

December 12, 2023



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21668

EXPIRATION DATE: 2024-03-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. **GRANTEE:** IMC Companies, LLC
Memphis, TN
2. **PURPOSE AND LIMITATIONS:**
 - a. This emergency special permit authorizes the transportation of primers, cap type packaged in non-specification combination fiberboard boxes that are not marked with the proper shipping name specified in the § 172.101 Hazardous Materials Table and the EX number. 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 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.
3. **REGULATORY SYSTEM AFFECTED:** 49 CFR Parts 106, 107 and 171- 180.
4. **REGULATIONS FROM WHICH EXEMPTED:** 49 CFR § 172.301(a)(1) in that the marked proper shipping name on each package need not match the proper shipping name specified in the § 172.101 Hazardous Materials Table; § 172.301(c) in that the special permit number need not be marked on each package; § 172.320 in that each package need not be marked with the EX number; and § 173.62 in that non-specification outer packaging is authorized.
5. **BASIS:** This emergency special permit is based on the application of IMC Companies, LLC dated October 20, 2023, submitted in accordance with § 107.117 and the determination it is necessary to prevent significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identifi- cation Number	Packing Group
Primers, cap type*	1.4S	UN0044	N/A

*Only primers manufactured by PT Pindad and classed under EX2023082693 may be transported under the terms of this special permit.

7. SAFETY CONTROL MEASURES:

- a. PACKAGING: Prescribed combination packagings must comply with the packaging specified in EX2023082693 except that non-specification fiberboard boxes are authorized outer packagings. Packagings must conform to the drawings and test reports, as specified in the application on file with the Office of Hazardous Materials Safety (OHMS).
- b. TESTING: Outer packagings must be capable of meeting the requirements of Subpart M of Part 178 of the HMR for a UN 4G fiberboard box at the Packing Group I performance level.

c. OPERATIONAL CONTROLS:

- (1) Packages must be overpacked on a plastic pallet containing a steel frame, which is tied with plastic strapping and shrink wrapped, as specified in the application on file with OHMS.
- (2) The outside of each overpack must display:
 - (i) The proper shipping name, UN identification number, and the EXPLOSIVE 1.4 label for the hazardous material listed in paragraph 6. above;
 - (ii) The special permit number; and
 - (iii) The EX number.
- (3) A maximum of 20 overpacks may be transported under the terms of this special permit.

(4) A maximum of two shipments may be conducted under the terms of this special permit.

(5) Transportation of overpacks must be from the bonded warehouse in Philadelphia, PA to ammunition manufacturers located within the contiguous United States.

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 offered for transportation in conformance with this special permit and the HMR.
- c. 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:** Motor vehicle.

10. **MODAL REQUIREMENTS:** A current copy of this special permit must be carried aboard 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: BM/BV