



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

August 19, 2022

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 8228
(TWENTY-FOURTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of a small sample of an unapproved explosive substance or article to a U.S. government laboratory, U.S. government contractor laboratory, and certain law enforcement organizations in special packagings as prescribed herein. 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.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101(c) and § 172.203(k) in that "Sample for Laboratory Examination" must be substituted for the technical names required, § 172.102, Special Provision 113 requiring a tentative approval is waived, and § 173.56(b) in that prior examination, classification and approval of the explosive samples are waived.
5. BASIS: This special permit is based on the application from the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives dated June 6, 2022, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Articles, explosive, n.o.s.	1.4E	UN0471	N/A

7. SAFETY CONTROL MEASURES:

a. This permit authorizes transport of explosive samples with each outer packaging containing one sample Type with maximum quantities as listed below:

- (1) Type A: Not more than 35 grams of Division 1.1C, 1.1D or 1.1G explosive substance.
- (2) Type B: Not more than 5 grams of Division 1.1A or “forbidden” explosive substance which has been wetted to not less than 50 percent by weight with water.
- (3) Type C: Not more than one explosive article having a gross weight of not more than 35 grams.

b. The following packaging method is assigned:

- (1) Inner Packaging: Receptacles, glass or plastic with screw-top, each containing one explosive substance or article, and overpacked in a static-resistant bag.
- (2) Intermediate Packaging: Receptacles, metal can with secure metal lid, each containing not more than seven (7) inner packagings of sample Type A, or one (1) inner packaging of sample Type B, or one (1) inner packaging of sample Type C, with all inner packagings uniformly segregated and the empty spaces filled with non-combustible dunnage (e.g., vermiculite) such as to maintain separation from the receptacle wall and between all inner packagings. The metal receptacle is then overpacked in a plastic pail receptacle with secured plastic lid and all free spaces filled with non-combustible dunnage to form a single intermediate packaging.
- (3) Outer Packaging: UN 4G fiberboard box, each containing one (1) intermediate packaging with maximum quantity per outer packaging as listed in Section 7.a. above.

c. Shipping papers must include, and packages must be marked with the notation: **“SAMPLE FOR LABORATORY EXAMINATION”** in place of the technical names required by the § 172.101 Table and § 172.203(k), as shown in the table in Paragraph 6.

8. SPECIAL PROVISIONS:

a. Only shipments by the grantees of this special permit and other law enforcement agencies under the direction and guidance of a Federal Government agency having grantee status to this special permit, are authorized when destined for and consigned directly to:

- (1) a U.S. government laboratory;
- (2) a U.S. Government contract laboratory;
- (3) a state or local law enforcement organization; or
- (4) another ATF or FBI office, are authorized

b. The outer package must be legibly and durably marked with the following: “DOT-SP 8228”.

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

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

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

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.

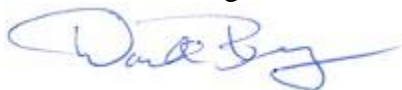
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when the 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 explosion, fire or any significant physical damage to 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-30, 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: SCW/ae