APR 12 1996

U.S. Department of Transportation
Research and Special Programs Administration

400 Seventh Street, S.W.
Washington, D.C. 20590

DOT-E 9108
(SEVENTH REVISION)

EXPIRATION DATE: September 30, 1996
See Appendix A for PTE Expiration date(s)

(FOR RENEWAL, SEE 49 CFR SECTION 107.105)

1. GRANTEE: Austin Powder Company
Cleveland, Ohio

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of PETN wet with 25% water in plastic bags in fiberboard boxes and fiber drums. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.62

5. BASIS: This exemption is based on the application of Austin Powder Company dated January 25, 1996, submitted in accordance with 49 CFR 107.105.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Pentaerythrite Tetranitrate or PETN wetted (wet with water in the ratio of 25 pounds of water to 75 pounds of PETN)	1.1D	UN0150	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. Wet PETN placed in a 4 mil polyethylene bag which is securely tied off. This bag shall be placed in another 4 mil polyethylene bag which is also securely tied off. This assembly must then be placed in a DOT Specification 12H65 fiberboard box. The quantity of wet PETN in one package may not exceed 50 pounds.

b. Wet PETN placed in a cotton duck bag which is securely tied off. This bag shall be placed in two 4 mil polyethylene bags which are also securely tied off. This assembly must then be placed in a DOT Specification 21C115 fiber drum. The quantity of wet PETN in one package may not exceed 70 pounds.

8. SPECIAL PROVISIONS:

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

b. Packagings used under this exemption may not be reused for shipping any material.

d. This exemptions will not carry an expiration date subsequent to September 30, 1996 since use of the packaging is prohibited after that date. This is consistent with the transitional provisions of 49 CFR Section 171.14 and the implementation of the new packaging requirements adopted under Docket HM-181.

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

10. MODAL REQUIREMENTS:

a. A copy of this exemption must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this exemption.

b. For transportation by motor vehicle;

1. This exemption authorizes transportation of wet PETN from place of manufacture to place of use or export only and does not authorize any transfer of cargo enroute. For export shipments, the marking requirement specified in paragraph 8.c.6 is not required.

2. No other cargo may be transported on the same vehicle with the wet PETN. The quantity of wet PETN in one vehicle may not exceed 40,000 pounds.

3. Transportation must be by private or contract carrier only.

4. Transportation shall be in Fiberglass Reinforced Plywood trailers or aluminum trailers lined with 1/4 inch thick plywood or freight containers lined with wood.

5. The packages must be blocked and braced to prevent any dangerous movement.

6. Each outside packaging must be marked "INITIATING EXPLOSIVE -DANGEROUS - DO NOT STORE OR LOAD WITH ANY HIGH EXPLOSIVE".

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

for Marilyn E. Morris

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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