



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

MAY 26 2004

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

Mr. John Wells
Environmental Specialist
General Dynamics - OTS
Environmental and Regulatory Compliance
8820 Route 148 South
Marion, IL 62959

Ref. No. 04-0113

Dear Mr. Wells:

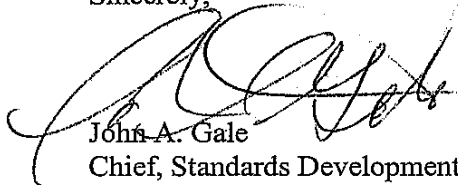
This is in response to your letter dated April 29, 2004 regarding the shipment of 30 millimeter primed ammunition cases for laboratory testing under the requirements of the Hazardous Materials Regulations (HMR: 49 CFR Parts 171-180). You state that each case has a 0.25 inch hole drilled in its sidewall and contains an empty flash tube and no propellant. Additionally, an inert projectile will be crimped into each case. You would like to know if the EX number assigned to the primed case would still be appropriate for your shipment and if Special Provision 50 would still apply.

It is our opinion that by drilling a hole in the side of a shell casing and crimping an inert projectile into the neck of the case you are not changing the classification of the explosive. Therefore, according to the information you provided, the EX number assigned to a primed case would still be accurate for your casings.

According to Special Provision 50 a material classed as "Cases, cartridge, empty with primer" that is constructed of metal or plastic and meets the classification criteria of Division 1.4 is not regulated for domestic transportation. From the information you provided, it is our opinion that your casings meet Special Provision 50 and, therefore, are not regulated for domestic transportation.

I hope this satisfies your request.

Sincerely,



John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards



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173.56
173.59

GENERAL DYNAMICS

Ordnance and Tactical Systems

April 29, 2004

Mr. Edward Mazzullo, Director
U.S. Department of Transportation
Office of Hazardous Materials Standards
DHM-10
400 Seventh Street, S.W.
Washington, DC 20590-0001

202-366-8553
202-366-3012 FAX

Subject: Request for Clarification

Reference: 49 CFR 173.56, 173.59, 172.102 *special provision # 50*

Dear Mr. Mazzullo:

General Dynamics, OTS, Marion, is requesting a letter of interpretation.


General Dynamics has a need to ship some 30MM primed cases to a laboratory for testing purposes.

- There is an empty flash tube in this item.
- There is no propellant in this item.
- The empty case will have one hole drilled in the side. The hole diameter is 0.25 inches.
- An inert projectile will be crimped to the case. There is no tracer or explosives in the projectile.

Our questions are:

1. Would these items still be considered unregulated for domestic transportation?
2. If not, would these items need a separate EX number or would they fall under the EX number already assigned to the primed case?

Regards,



John Wells
Environmental Specialist

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§173.56
173.59
Explosives
04-0113

General Dynamics - OTS
Environmental and Regulatory Compliance
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