



U.S. Department of Transportation
**Pipeline and Hazardous Materials
Safety Administration**

MAY - 5 2010

1200 New Jersey Ave, SE
Washington, D.C. 20590

Mr. Samuel Dole
Dole Explosives, Inc.
P.O. Box 71
15325 Babcock Avenue
Rosemount, MN 55068

Ref. No.: 09-0268

Dear Mr. Dole:

This is in response to your November 5, 2009 letter concerning requirements in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the transportation of explosives by highway. Specifically, you ask whether the HMR permit the transportation of "Boosters, 1.1D, UN0042" on any vehicle or combination of vehicles as bulk "Ammonium nitrate, 5.1, UN1942, PG III." In your letter you cite requirements in §§ 177.835 and 177.848 applicable to the segregation of ammonium nitrate fertilizer and explosive materials.

A Division 1.1 or 1.2 explosive may not be loaded into or carried on any vehicle or a combination of vehicles that does not conform to §§ 177.835(c)(1) through (4). In accordance with § 177.835(c), Ammonium nitrate, 5.1, UN1942 may not be transported on any vehicle or combination of vehicles with Boosters, 1.1D, UN0042 if the ammonium nitrate is transported in a cargo tank required to be marked or placarded in accordance with § 177.823 or if the ammonium nitrate is transported in a portable tank or a DOT specification 106A or 110A tank.

The note "A" in the second column of the segregation table for hazardous materials in § 177.848(d) means that, notwithstanding the requirements of the letter "X", ammonium nitrate (UN1942) and ammonium nitrate fertilizer may be loaded or stored with Division 1.1 (explosive) or Division 1.5 materials unless the ammonium nitrate is transported in a cargo tank required to be marked or placarded in accordance with § 177.823 or if the ammonium nitrate is transported in a portable tank or a DOT specification 106A or 110A tank. In order to clarify this issue more thoroughly, we may address this in a future rulemaking.

I trust this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,

Charles E. Betts
Chief, Standards Development
Office of Hazardous Materials Standards



Box 71, 15325 Babcock Avenue
Rosemount, MN 55068
Tel 651-423-1141 • Fax 651-322-6168

November, 5, 2009

Leary
§ 177.835
Explosives
09-0268

U.S. DOT
PHMSA Office of Hazardous Materials Standards
Attn: PHH-10
East Building
1200 New Jersey Avenue, SE.
Washington, DC 20590-0001

Dear U.S. DOT PHMSA Office of Hazardous Materials Standards:

My name is Samuel Dole and I am with a company called Dole Explosives, Inc. Dole Explosives, Inc. provides blasting services to stone quarries. I have a question regarding the Hazardous Materials Regulations:

Does the HMR permit carrying Boosters 1.1D UN0042 PG II on the same vehicle as bulk Ammonium Nitrate 5.1 UN1942 PG III?

177.848 (e) (5) says:

The note "A" in the second column of the table means that, notwithstanding the letter "X", ammonium nitrate (UN1942) and ammonium nitrate fertilizer may be loaded or stored with Division 1.1 (explosive) or Division 1.5 materials.

177.835 (c) (3) says:

Division 1.1 or 1.2 (explosive) materials may not be loaded into or carried on any vehicle or a combination of vehicles if: Any vehicle in the combination is a cargo tank which is required to be marked or placarded under 177.823.

My return address is PO Box 71 Rosemount, MN 55068. My daytime telephone number is 651-423-1141. Thank you in advance for your assistance.

Sincerely,

A handwritten signature in black ink that reads "Samuel Dole". The signature is written in a cursive style.

Samuel Dole