



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

**SEP 28 2004**

DOT-E 2709  
(TWENTIETH REVISION)

EXPIRATION DATE: June 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Department of Defense (DOD)  
Ft. Eustis, VA

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

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain Division 1.1C, 1.1D and 1.3C liquid explosives in both UN specification and non-specification packagings. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.24(c) and 173.62 in that the packaging is not authorized except as specified herein; and § 173.54(e) in that trimethyloethane trinitrate is forbidden for transport except as specified herein; and § 177.834(1)(1).

5. BASIS: This exemption is based on the application of the Department of Defense dated September 7, 2004 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Substances, explosive, n.o.s.	1.1C	UN0474	II
Substances, explosive, n.o.s.	1.1D	UN0475	II
Substances, explosive, n.o.s.	1.3C	UN0477	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging must be a DOT specification or non-DOT specification container described as follows:

(1) UN Specification 6HA1 metal drum with a rated capacity of 30 gallons. Drums must be palletized, four drums to a foam-plastic or wooden skid. The drums must be secured to the skid as described in the Department of the Navy's letter dated November 13, 1981.

(2) Non-DOT specification drum constructed in accordance with Allegheny Ballistics Laboratory Drawings Nos. 1343-K and 9652-F. Drums must be securely attached to strong wooden skids. Each drum must not exceed 125 gallons capacity, nor contain more than 850 pounds of the material.

(3) Specifically designed container constructed as described in Hercules Powder Company, Incorporated, Allegheny Ballistics Laboratory, Rocket Center, West Virginia, Drawings ABL-7923, ABL-7924-B and ABL-8200. Capacities of these containers are limited for transportation to 600 pounds.

(4) Desiccators described in Radford Arsenal Drawings Nos. HRP 37-7946, HRP 37-4130-A, HRP 37-4130-B, HRP 37-7947, and HRP 37-4167, on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). Also in desiccators (not to exceed 1,000 pounds DEGDN capacity) described in Radford Arsenal Drawings Nos. 20220, 24015, on file with OHMEA. Also in desiccators described in Hercules Incorporated, Magna, Utah Drawing No. 83282J00231 Revisions H and J on file with the OHMEA.

b. OPERATIONAL CONTROLS -

(1) Wire tying of container closures is limited to soft (rubber or rubber-like material) plugs, each to have a metal backing plate extending across its top surface, with tying holes matching those in the flange of the opening. At least two wires, No. 6 gauge aluminum or equivalent must be used on each closure.

(2) Containers must be inspected before each shipment for leakage, and containers showing defects which might result in leakage during transit must not be continued in this service. Closing and/or venting devices must be of such design that leakage will not occur during transportation; they must be so constructed that the liquid will not be subjected to friction or impact between any two metal surfaces.

(3) Vehicle used must be a tractor-trailer combination having a minimum design load capacity of not less than 3,500 pounds per square foot (full trailers not authorized). If the vehicle is equipped with a heating or refrigerating unit, it must meet the conditions specified in § 177.834(1)(2)(iii)(A) except paragraph (4). DEGDN, nitroglycerin/diethylene glycol mixtures, and nitroglycerin/triacetin mixtures must be transported in vehicles maintained at a temperature of not less than 60°F. In any case, the temperature must be controlled so that there is no separation of any component of the mixture during transportation. Also vehicle shown in Hercules Incorporated, Magna, Utah Drawing No. 083-0711-52006-5BU-01 and modified by Engineering Orders Nos. 13628 and 13910 on file with the OHMEA may be used. The net load may not exceed 39,600 pounds.

(4) Trimethylolethane trinitrate must be shipped in temperature controlled vans in which the temperature may not be less than 35°F nor more than 100°F. Temperature control units must comply with § 177.834(1)(2)(iii). Temperature control is not required when it has been demonstrated by test that there is no difference in the sensitivity of the liquid, the solid (frozen) and a mixture of liquid and solid.

(5) Lading in motor vehicles must be inspected not less than once every hundred miles while in transportation to see that the containers are not leaking. Each shipment must be routed straight through as a continuous trip without stopover or layover except as necessitated by mechanical failure or adverse weather conditions.

(6) More than one type of liquid explosive is authorized on a motor vehicle provided that:

- (i) the liquid explosives are authorized for shipment under this exemption;
- (ii) they are packed in authorized packagings; and
- (iii) their compatibility groups are authorized for mixed stowage by § 177.848.

(7) Transportation by vessel is permitted only for the Division 1.1C, 1.1D and 1.3C liquid explosives described in paragraph 6 above which are packaged in accordance with paragraph 7.a. and b. and; have a freezing point of -10°F (-23°C) or colder, except as provided in the last sentence of paragraph 7.b.(4).

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this exemption and the HMR.

- b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.
- c. Transportation by motor vehicle under a government bill of lading may be performed only by motor carriers specifically approved by the U.S. Department of Defense, Military Traffic Management Command. This requirement does not apply to motor vehicle shipments made under a commercial bill of lading.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this exemption.
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. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this exemption 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 exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

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. (Sections 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 incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

SEP 28 2004

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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemption> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: DB/alb

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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
ATK Tactical Sys. Co. LLC (form Alliant Missile) Hopkins, MN	Oct 24, 2002	Nov 07, 2002	Oct 31, 2004
Alliant Aerospace Company Magna, UT	Oct 24, 2002	Nov 07, 2002	Oct 31, 2004
Alliant Ammunition & Powder Co. LLC Radford, VA	Oct 24, 2002	Nov 07, 2002	Oct 31, 2004
Alliant Propulsion and Composites LLC Magna, UT	Oct 24, 2002	Nov 07, 2002	Oct 31, 2004
Atlantic Research Corporation Gainesville, VA	Nov 12, 2002	Nov 21, 2002	Oct 31, 2004
Copperhead Chemical Company, Inc. Tamaqua, PA	Aug 27, 2004	Sept 9, 2004	Jun 30, 2006
General Dynamics-ATP form. General Dyn. Ord. & Tac Woodberry, AR	Mar 27, 2003	Apr 10, 2003	Oct 31, 2004
United Technologies Corporation San Jose, CA	Jun 30, 2004	Jul 12, 2004	Jun 30, 2006



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