



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

MAY 14 2004

DOT-E 4453
(THIRTEENTH REVISION)

EXPIRATION DATE: November 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Austin Powder Company
Cleveland, OH

(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 1.5D materials described in paragraph 6 below contained in a non-DOT specification bulk, hopper-type tank. 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 § 172.101, Column (8C), § 173.62 in that a non-DOT specification package is not authorized except as specified herein; and §§ 176.83 and 176.415.
5. BASIS: This exemption is based on the application of Austin Powder Company dated February 3, 2004 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):**MAY 14 2004**

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Ammonium nitrate-fuel oil mixture <i>containing only prilled ammonium nitrate and fuel oil</i>	1.5D	NA0331	II
Explosive, blasting, type B or Agent, blasting, Type B	1.5D	UN0331	II
Explosive, blasting, type E or Agent, blasting, Type E	1.5D	UN0332	II

NOTE: Other blasting explosives must be specifically identified to, and acknowledged in writing, by the Office of Hazardous Materials Exemptions and Approvals (OHMEA) prior to the first shipment.

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are hopper-type aluminum tanks, which may be equipped for pneumatic unloading as follows:

(1) Units must conform to the description given in Sierra Chemical Company's letter of November 9, 1972 or in brochures published by Sudenga Industries, Inc., Georgia, Iowa; I&M Equipment Corporation; Ripco, Inc.; Sprout-Waldron & Company; or in conformity with Trailmobile Company Drawings B-832-3385 modified in accordance with Trailmobile's letter dated September 21, 1965 and B1810-4, on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

(2) Use of vehicles built by Amerind, Inc., is also authorized, provided the units are structurally similar to the vehicles covered by DOT-E 5206.

(3) Fontane Truck Equipment units described in Austin Powder Company's application; Butler Manufacturing Company's units identified as Models 1025, 1200 and Model 1500 as shown in Dwg B-910553; Fruehauf Hopper Pressure Bulk Haul Tank Trailer model HABF2J. Descriptions and drawings of all these units are on file with the OHMEA.

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(4) Other units specifically identified to, and acknowledged in writing by OHMEA prior to the first shipment are also authorized.

b. OPERATIONAL CONTROLS -

(1) The bulk blasting agent may not remain in the vehicle for any time period that could result in caking. The equipment must be cleaned frequently enough to assure against any accumulation of product or its packing.

(2) Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident. A copy of written instructions must be provided to the masters of cargo vessels used to transport bulk blasting agents under this exemption.

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. Each motor vehicle must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background "DOT-E 4453".

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

10. MODAL REQUIREMENTS:

a. A current 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 cargo vessel:

- (1) The motor vehicles must be stowed "on deck only".
- (2) The blasting agents must be segregated from other hazardous materials in accordance with the requirements for Division 1.5D Explosives. In addition, the blasting agents must be stowed "separate from" non-regulated readily combustible materials, as defined in § 176.83(d).
- (3) The motor vehicles must be stowed in a readily accessible location which can be reached by at least two streams of water from separate fire hydrants or if carried on an unmanned barge by an effective stream of water from a vessel alongside.
- (4) Before packages covered by this exemption are loaded on or discharged from a vessel at any place in United States, the carrier must obtain a permit from the Coast Guard Captain of the Port. A copy of this exemption must be provided to the Captain of the Port when requesting a permit.

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 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 incidents 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

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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.

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

PO: SCW/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:

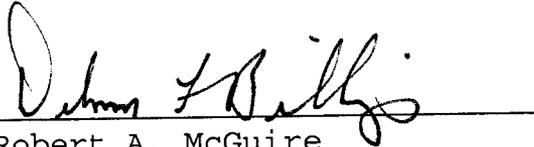
Company Name City/State	Application Date	Issue Date	Expiration Date
Alaska Pacific Powder Company Olympia, WA	Aug 30, 2004	SEP 28 2004	Nov 30, 2005
American East Explosives, Inc. Greenfield, MO	Feb 11, 2004	Jul 12, 2004	Nov 30, 2005
Austin Powder Illinois Company Cleveland, OH	Sep 17, 2004	SEP 28 2004	Nov 30, 2005
Binns & Stevens Explosives, Inc. Oskaloosa, IA	Aug 31, 2004	Sep 21, 2004	Nov 30, 2005
Brandywine Explosives & Supply, Inc. Paris, KY	Mar 3, 2004	Apr 15, 2004	Nov 30, 2005
Buckley Powder Company Englewood, CO	Mar 8, 2004	Apr 15, 2004	Nov 30, 2005
Buckley Powder Company of Oklahoma, Inc. Mill Creek, OK	Mar 8, 2004	Apr 15, 2004	Nov 30, 2005
Controlled Explosives, Inc. (Conex) Oakland City, IN	Feb 24, 2004	Apr 15, 2004	Nov 30, 2005
DetaCorp Inc., LLC Columbus, KS	Apr 26, 2004	May 14, 2004	Nov 30, 2005
Dyno Nobel, Inc. Salt Lake City, UT	Feb 26, 2004	Apr 15, 2004	Nov 30, 2005
Evenson Explosives, LLC Morris, IL	Dec 29, 2004	Apr 15, 2004	Nov 30, 2005
Florex Explosives, Inc. Cuddy, PA	Jan 15, 2004	Apr 15, 2004	Nov 30, 2005
Hale Supply Co., dba Bennett Explosives, Inc. Manchester, IA	Mar 22, 2004	Apr 15, 2004	Nov 30, 2005
Hilltop Energy, Inc. Mineral City, OH	Dec 03, 2003	Dec 12, 2003	Nov 30, 2005

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Company Name City/State	Application Date	Issue Date	Expiration Date
Intermountain West Energy, Inc. Boise, ID	Jan 7, 2004	Apr 15, 2004	Nov 30, 2005
Jerico Services, Inc. Indianola, IA	Jan 20, 2004	Apr 15, 2004	Nov 30, 2005
Kentucky Powder Company Lexington, KY	Feb 24, 2004	Apr 15, 2004	Nov 30, 2005
Ladshaw Explosives, Inc. New Braunfels, TX	Mar 1, 2004	Apr 15, 2004	Nov 30, 2005
M.J. Baxter Drilling Company El Cajon, CA	Feb 19, 2004	Apr 15, 2004	Nov 30, 2005
Maurer & Scott, Inc. Lehigh Valley, PA	Mar 8, 2004	Apr 15, 2004	Nov 30, 2005
Mine Equipment & Mill Supply Company (MEMSCO) Dawson Springs, KY	Feb 24, 2004	Apr 15, 2004	Nov 30, 2005
Olson Explosives, Inc. Decorah, IA	Feb 4, 2004	Apr 15, 2004	Nov 30, 2005
Orica USA Inc. Watkins, CO	Feb 18, 2004	Apr 15, 2004	Nov 30, 2005
Quick Supply Company Des Moines, IA	Mar 22, 2004	Apr 15, 2004	Nov 30, 2005
R & R Trucking, Inc. Duenweg, MO	Apr 1, 2004	Apr 15, 2004	Nov 30, 2005
Senex Explosives, Inc. Cuddy, PA	Jan 15, 2004	Apr 15, 2004	Nov 30, 2005
Sierra Chemical Company Sparks, NV	Mar 1, 2004	Apr 15, 2004	Nov 30, 2005
Tennessee Blasting Services, LLC Jacksboro, TN	May 19, 2004	Jun 17, 2004	Nov 30, 2005
Tradestar Corporation West Jordan, UT	Apr 9, 2004	Apr 29, 2004	Nov 30, 2005
Viking Explosives & Supply, Inc. Rosemount, MN	Mar 12, 2004	Apr 15, 2004	Nov 30, 2005
Wampum Hardware Company New Galilee, PA	Feb 19, 2004	Apr 15, 2004	Nov 30, 2005

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Company Name City/State	Application Date	Issue Date	Expiration Date
Western Explosive Systems Company dba WESCO Salt Lake City, UT	Mar 2, 2004.	Apr 15, 2004	Nov 30, 2005



bw Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety