



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

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

DOT-E 5022
(SEVENTEENTH REVISION)

OCT 31 2003

EXPIRATION DATE: September 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. **GRANTEE:** U.S. Department of Defense (DOD)
Washington, DC

(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 1.1, 1.2 and 1.3 explosives in temperature controlled equipment for transportation in commerce subject to the limitations and special requirements specified herein. This exemption provides no relief from any Hazardous Materials Regulation (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 § 174.84; § 174.101(1), § 174.112(a), and § 177.834(1)(1) in that rail cars or highway vehicles may be equipped with heating and refrigerating apparatus; and the requirements of § 174.104(d) are waived.
5. **BASIS:** This exemption is based on the applications of U.S. Department of Defense dated October 20, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

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Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Rocket motors	1.1C	UN0280	II
Rocket motors	1.3C	UN0186	II
Rockets, with inert head	1.3C	UN0183	II
Rockets with expelling charge	1.2C	UN0436	II
Charges, propelling	1.1C	UN0271	II
Charges, propelling	1.1C	UN0272	II
Propellant, solid	1.3C	UN0499	II
Igniters	1.3G	UN0315	II
Rocket motors with hypergolic liquids, with or without an expelling charge	1.3L	UN0250	II

7. SAFETY CONTROL MEASURES:

a. Commodities identified in paragraph 6 above, properly packaged in accordance with the HMR, may be shipped in or on rail cars or highway vehicles equipped with heating and refrigerating apparatus operated by diesel or gasoline fuel. Any electrical apparatus in the lading space must be of non-sparking or explosion proof type. There may not be combustion apparatus in the lading space, and no connection for return of air from the lading space to any combustion apparatus. The heating system must be such that no part of the lading will be heated to over 130 degrees F. and must conform to § 393.77.

b. Shipments covered by this exemption are limited to those shipments for which control is required to assure proper functioning of the motors or devices, and is not being required to preclude a transportation hazard developing from instability.

c. When a temperature control apparatus is operated by generator engines, fuel tanks for the generators must conform to construction requirements of § 393.67, "Liquid fuel tanks". The fuel tank must be capable of passing without leakage a 30 foot drop test on one corner when filled with 1808 pounds of water which represent a capacity of 266 gallons of fuel. The tank will contain a relief valve sized to meet the requirements of § 393.67. The fuel tank will be physically located outside of the cargo carrier.

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 modifications or changes are made to the package 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. When transported by rail, the carrier is not required to meet the provisions required by § 174.104(d). Shipments may include trailer-on-flat-car service.

d. Shipments must be covered by government bills of lading or commercial bills of lading to be converted at destination to government bills of lading. Otherwise, any shipments made on commercial bills must be only for devices (covered by this exemption) that have been previously identified to the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

e. The requirements of § 174.84 are hereby waived to allow placement of cars bearing "Explosives" placards two cars ahead of a car occupied by observers or escorts, with a non-placarded buffer car in between when the occupied car is equipped with lighted heaters or stoves.

f. Shipments by motor carrier are restricted to those carriers which have been specifically approved by Military Traffic Management Command (MTMC).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each 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 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.

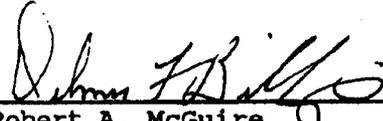
No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

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.

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(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.:



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Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

OCT 31 2003

(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: CHH/sln

SEP 2 1 2004

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
Aerojet Corporation Gainesville, VA	Dec 09, 2003	Mar 4, 2004	Sep 30, 2005
ATK Tactical Systems Co. LLC Plymouth, MN	Oct 09, 2003	Oct 16, 2003	Sep 30, 2005
Atlantic Research Corporation Gainesville, VA	Dec 09, 2003	Mar 4, 2004	Sep 30, 2005
Custom Analytical Engineering Systems, Inc. (CAES) Flintstone, MD	Dec 16, 2003	Apr. 1, 2004	Sep 30, 2005
National Aeronautics & Space Administration (NASA) Greenbelt, MD	Nov 07, 2003	Dec 09, 2005	Sep 30, 2005
The Boeing Co., Boeing Space Coast Operations Cape Canaveral, FL	Nov 03, 2003	Dec 04, 2003	Sep 30, 2005
United Technologies Corporation San Jose, CA	Sep 7, 2004	SEP 2 1 2004	Sep 30, 2005



fe Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety