



DOT-E 9211  
(SIXTH REVISION)

DEC 17 2003

EXPIRATION DATE: June 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: American Overseas Marine Corporation (AMSEA)  
Quincy, MA

(See Appendix A to this exemption 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, 1.3 and 1.4 military explosives on a Maritime Positioning Ship (TAKX), identified in paragraph 6, in cargo holds having electrically-powered lighting, air conditioning, alarm, fire detection, and cargo-handling systems. 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 § 176.118 in that the operation of electrical equipment in the holds in which explosives/ammunition are to be stowed is not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of American Overseas Marine Corporation (AMSEA) dated December 4, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101): **DEC 17 2003**

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Military explosives as described in enclosure (3) of the Braintree Corporation application on file with OHMEA	1.1, 1.2, 1.3 or 1.4 as appropriate	As appropriate	

7. SAFETY CONTROL MEASURES:

a. Cargo holds subject to this exemption may not be used for the stowage of any material, product, or article that is capable of evolving or releasing flammable gases or vapors.

b. The explosives covered by this exemption must be stowed in freight containers which meet the requirements of Commandant, U.S. Coast Guard, Approval CGA 019-81 (Revision 1) dated October 17, 1983. Explosives in a freight container must be blocked, braced, and secured in accordance with Coast Guard - approved DOD outloading drawings and the terms of the Coast Guard Approval cited above. The containers may not be opened while on board the vessel.

c. Before explosives are stowed in a hold, each electrical system serving that hold must be inspected and tested as follows:

- (1) Electrical cables and fixtures must be examined for defects, damage, and cleanness.
- (2) Electrical circuits must be tested for satisfactory insulation resistance, and for continuity, shorts, and grounds. All electrical equipment must be checked for and have proper grounding.

- (3) Air conditioning fans and ducts must be examined to ensure that they are clean and free of contamination. All fans must be checked for and have proper rotational clearance.
- (4) The fire detection and alarm systems must be tested for proper operation.

d. When containers of explosives are loaded, unloaded, or handled within a hold, all electrical circuits and equipment in the hold, except alarm and detection systems necessary for the safety of the vessel and those circuits and equipment necessary for the loading, unloading, or handling operations, must be de-energized.

e. Electrical lighting circuits must be de-energized when the holds are not occupied by personnel. If electrically-powered cargo handling equipment is installed in a hold containing explosives, the electrical circuits for that equipment must be de-energized when the equipment is not in use.

f. A member of the ship's crew, at least once every 24 hours, must check and ensure the proper operation of each air conditioning system.

8. SPECIAL PROVISIONS: Electrical systems, circuits, and equipment in cargo holds of the Maritime Prepositioning ship (TAKX) containing explosives must be installed and operated in accordance with the application and its enclosures and must meet, in addition, the following special provisions:

- a. Electrical cables and fittings must be:
  - (1) In good condition, and safeguarded against short circuits and sparking.
  - (2) Installed in rigid metal conduit or have electrically continuous shielding and metal armor.
  - (3) Protected from physical damage by location or by suitable guards.

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b. Artificial lighting and light fixtures must be as follows:

- (1) Pendant light fixtures, except portable lights, are not permitted.
- (2) Light fixtures must be located or protected to guard against damage by working gear, cargo handling equipment, or cargo.

c. Air conditioning systems must meet the following:

- (1) Electrical components of the air conditioning system such as motors, pumps, and control equipment, must be protected against damage by means of their location or suitable guards or barriers.
- (2) Air replenishment intakes must be located so as to prevent the entry of flammable gases or vapors from outside the hold.
- (3) The failure of the air conditioning system or any major component of that system must be alarmed in a normally manned space.

d. Deck and bulkhead cable penetrations must be sealed to prevent the passage of flammable gases and vapors.

e. The following special provisions apply to holds containing open freight containers. An open freight container is a container which does not totally enclose its contents by permanent structures including a roof.

- (1) Electrical equipment and installations must be in accordance with Waterman Steamship Corporation's application as modified by the J.J. Henry Co. Inc. message dated August 3, 1984.
- (2) In addition, all electrical equipment must be effectively guarded, to the satisfaction of the Officer in Charge, Marine Inspection, to prevent sparks or hot metal (as from faulty electrical equipment) from striking any freight container or its contents.

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9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel 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 fire, explosion or 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

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(DATE)

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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: sln

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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
Waterman Steamship Corporation New Orleans, LA	7/21/2003	7/29/2003	6/30/2005
Maersk Line, Limited Norfolk, VA	12/15/2005	DEC 17 2003	6/30/2005



Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety