



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

JUN 8 2004

DOT-E 10751
(THIRTEENTH REVISION)

EXPIRATION DATE: November 30, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Dyno Nobel, Incorporated
Salt Lake City, UT

(See Appendix A of this exemption for additional list of grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain Division 1.1, 1.4 and 1.5 explosives, Division 5.1 oxidizers and combustible liquids in separate containers mounted on the same vehicle frame structure. 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 § 177.835(c)(3) in that Division 1.1 and 1.5 materials may not be carried on any vehicle in combination with a cargo tank required to be marked or placarded under § 177.823 except as specified herein; §§ 177.848(d) and 177.848(e)(2) in that transportation of Division 1.1 and 1.5 explosives may not be shipped together with Division 5.1 liquids except as specified herein; and § 177.848(g)(3) in that Compatibility Group B detonators may not be carried on the same motor

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vehicle as Compatibility Group D explosives except as specified herein.

5. BASIS: This exemption is based on the application of Dyno Nobel Incorporated dated March 30, 2004 submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Boosters, without detonator	1.1D	UN0042	II
Combustible liquid, n.o.s. (contains No.2 fuel oil and organic emulsifiers)	Combustible	NA1993	III
Cord, detonating, flexible	1.1D 1.4D	UN0065 UN0289	II II
Detonators, electric, for blasting	1.1B 1.4B	UN0030 UN0255	II II
Detonator assemblies, non-electric	1.4B	UN0361	II
Explosive, blasting, type E or Agent blasting, type E	1.5D	UN0332	II
Ammonium nitrate	5.1	UN1942	III
Oxidizing liquid n.o.s. (Contains ammonium, sodium and/or calcium nitrates)	5.1	UN3139	II

NOTE: Other blasting explosives and oxidizers 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 as follows:

(1) Division 1.1D and 1.4D explosives must be packaged as prescribed in the § 173.62(c) Table according to

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their UN number and overpacked in an IME Safety Library Publication 22 (IME-22) container.

(2) Division 1.1B and 1.4B electric detonators and non-electric detonator assemblies must be packaged according to §173.63(f) or (g) in a separate IME 22 container.

(3) Bulk Division 1.5D blasting explosives, 5.1 oxidizing liquid, n.o.s. and ammonium nitrate must be transported in either specification or non-specification aluminum cargo tanks and/or cargo bins which have been identified to and acknowledged, in writing, by OHMEA prior to the first shipment (See Appendix B).

(4) Non-specification cargo tanks must be equipped with pressure relief systems meeting the requirements of § 178.346-3 or § 178.347-4.

(5) Combustible liquids must be contained in at least 1/8 inch thick aluminum chassis-mounted saddle tanks not exceeding 300 gallons capacity and meeting all Federal Motor Carrier Safety Administration side-mounted fuel tank requirements.

b. OPERATIONAL CONTROLS -

(1) The two (2) IME 22 containers must be located directly behind the cab on opposite sides of the motor vehicle. The IME 22 containers may not share a common wall or be in direct contact with any cargo tank, tank bin, pump or piping containing a hazardous material.

(2) These saddle tanks must be mounted between the cab and the cargo area and below the IME 22 magazine compartment and completely segregated from the rear cargo compartments containing tanks and/or bins of Division 1.5D blasting explosives and/or 5.1 oxidizers.

(3) Spillage, waste or residual accumulations of Division 1.5D blasting explosives and/or 5.1 oxidizers and/or any combustible liquids anywhere in the vehicle should be cleaned up immediately and properly handled for disposal.

(4) All transfer pumps must be equipped with at least two positive means to prevent operation while in transportation. All process lines must be clear of any hazardous materials and all valves shall be securely closed before transport on a public road or highway.

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. MARKING -

(1) Each motor vehicle must be plainly marked on the right side near the front, in letters at least 5 cm (2 inches) high on a contrasting background "DOT-E 10751."

(2) Each portable tank must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 10751".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

b. Drivers must have been instructed as to the necessary safeguards and proper procedures in the event of an unusual delay, fire, explosion or accident involving the hazardous materials covered by this exemption.

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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 this 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

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: SCWATSON

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:

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Company Name City/State	Application Date	Issue Date	Expiration Date
Alaska Pacific Powder Company Olympia, WA	Aug 30, 2004	Sep 28, 2004	Jun 30, 2006
Alpha Dyno Nobel Lincoln, CA	Sep 28, 2004	OCT 19 2004	Jun 30, 2006
American East Explosives, Inc. Springfield, MO	Oct 7, 2004	OCT 19 2004	Jun 30, 2006
American West Explosives, Inc. Plymouth, CA	Jan 16, 2003	Jan 29, 2003	Nov 30, 2004
Austin Powder Company Cleveland, OH	Sep 10, 2004	Sep 28, 2004	Jun 30, 2006
Golden State Explosives Plymouth, CA	Jan 16, 2003	Jan 29, 2003	Nov 30, 2004
Mine Equipment & Mill Supply Company (MEMSCO) Dawson Springs, KY	Jan 10, 2003	Jan 29, 2003	Nov 30, 2004
Southern Blasting Services, Inc. Ronda, NC	Jul 8, 2004	Jul 13, 2004	Jun 30, 2006
Wampum Hardware Company New Galilee, PA	Jul 16, 2004	Jul 30, 2004	Jun 30, 2006
Western Explosives Systems Company dba WESCO Salt Lake City, UT	Sep 20, 2004	Sep 28, 2004	Jun 30, 2006

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 Hazardous Materials Safety

OCT 19 2004

Date