



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

APR 1 2004

DOT-E 10897
(SIXTH REVISION)

EXPIRATION DATE: January 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: U.S. Department of Defense
Alexandria, Virginia
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation of a water reactive material in special packaging without being labeled or marked with the proper shipping name, and when in the quantities specified herein, in transport vehicles or freight containers that are not placarded with Division 4.3 placards. 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 § 172.301 in that the proper shipping name marking is waived, § 172.400 in that labeling is waived, § 172.504(a) in that placarding is waived under certain conditions, and § 173.211 in that non-DOT specification packaging is not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of U.S. Department of Defense dated January 27, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Water-reactive solid, n.o.s. (Magnesium-iron alloy)	4.3	UN2813	I

7. SAFETY CONTROL MEASURES:

a. Packaging prescribed is a non-DOT specification packaging as described below -

- (1) Each Flameless Ration Heater is hermetically sealed in a 2.5 mil high density polyethylene bag.
- (2) Twelve of these units are shrink wrapped in a polyethylene sleeve.
- (3) Twenty-four shrink-wrapped packs are assembled in three rows of eight into a fire-retardant fiberboard box. This packaging is shown in detail in Attachment 3 to the application.
- (4) The gross weight of the bulk pack unit may not exceed 30 pounds.
- (5) Palletized unit loads of bulk pack units are strapped tightly to the pallet base, capped with weather resistant fiberboard and wrapped in polymeric stretch or shrink wrap material.

b. OPERATIONAL CONTROLS

- (1) The requirements to mark the package with the proper shipping name and label it with the hazard warning label are waived.
- (2) The placarding requirements of § 172.504 pertaining to Division 4.3 materials are waived when the aggregate gross weight of packages covered by this exemption in any transport vehicle or freight container does not exceed 100 kg (220 pounds), and the transport vehicle or freight container contains no other material requiring Division 4.3 placards.

(3) Each package must be marked with the exemption number as required by § 172.301(c).

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 change 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.

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

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle, cargo vessel and aircraft used to transport packages covered by this exemption. The shipper must furnish a current copy of this exemption to the air carrier before or at the time the shipment is tendered.

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 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
Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

APR 1 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/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: dl