



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

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

**JUL 27 2004**

DOT-E 10981  
(SIXTH REVISION)

EXPIRATION DATE: May 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Austin Powder Company  
Cleveland, OH  
(Former Grantee: Atlas Powder International  
Ltd., Bay St. Louis, MS)
  
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce of Explosives, blasting, Type E Division 1.5D contained in DOT Specification IM 102 portable tanks stowed below deck on privately owned or chartered, dedicated explosives vessels. 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 table, column 10A and 10B, 173.62, 176.63, 176.83 and 176.84, except as specified herein.
  
5. BASIS: This exemption is based on the application of Austin Powder Company dated May 19, 2004, submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Explosive, blasting, Type E or Agent blasting, Type E	1.5D	UN0332	II
Explosive, blasting, Type B or Agent blasting, Type B	1.5D	UN0331	II

7. SAFETY CONTROL MEASURES: Prescribed packagings are DOT Specification IM 102 portable tanks, (maximum allowable working pressure shall be less than 25.4 psig). Each tank must conform to all requirements of DOT Specification IM 102, including periodic maintenance and inspection. The portable tanks are authorized for stowage below deck on cargo vessels which are privately owned or chartered by Austin Powder Company and used in dedicated explosives service.

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. The loading operation must be conducted at Morgan City, Louisiana or Grand Chenier, Louisiana under the supervision and in accordance with the requirements of the local U.S. Coast Guard Captain of the Port.

d. MARKING - 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 10981".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or 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, 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 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 incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



<sup>f2</sup> Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

JUL 27 2004

(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.

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