



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

MAR 15 2004

DOT-E 11328
(SEVENTH REVISION)

EXPIRATION DATE: February 28, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

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

(See Appendix A of this exemption for additional grantees)
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of an alternate stacking arrangement for cylindrical shaped UN5H3 bags of Explosive, Blasting Type E, 1.5D, UN0332. 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 § 176.76(a)(8) in that bagged and baled cargo must be stowed in alternate directions so that each tier binds the tier above and below it, except as specified herein.
5. BASIS: This exemption is based on the application of Dyno Nobel Inc. dated February 26, 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
Explosive, blasting, type E	1.5D	UN0332	II

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - Packaging must be in accordance with 49 CFR Subpart C, Hazardous Materials Regulations except as specifically noted.
 - b. STACKING - Stacking of all cylindrically shaped bags is to be on the same longitudinal axis, with alternating layers of bags to be offset by 1/2 a bag diameter from the layer below it, and the layer above it. In this arrangement, each cylindrical bag nestles into a valley created by two cylindrical bags immediately below it so that it is laterally braced by those bags. The sides of the stack are restrained by the walls of the container.
 - c. BAG SIZE AND WEIGHT LIMITATIONS - This stacking arrangement is authorized for cylindrical bags of rigid or semi-rigid material, with a diameter not to exceed 7 inches and a length not to exceed 4 feet. The maximum amount of material may not exceed 50 pounds per bag. All bags in any stack must be of identical diameter, length and weight.
8. SPECIAL PROVISIONS: 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: 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 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, 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
Associate Administrator for
Hazardous Materials Safety

MAR 15 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.

MAR 15 2004

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: KFW/AM
2004030066

OCT - 8 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
Alaska-Pacific Powder Company Olympia, WA	Aug 30, 2004 and Sep 29, 2004	OCT - 8 2004	Feb 28, 2006



Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

OCT - 8 2004

Date