



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

JUN 27 2003

DOT-E 11579
(EIGHTH REVISION)

EXPIRATION DATE: May 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

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

(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 1.1B, 1.1D, 1.4B, 1.4D and 1.5D explosives, Division 5.1 oxidizers and Class 8 materials 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 § 177.848(e)(2), in that transportation of Division 1.1, 1.4 and 1.5 explosives with Division 5.1 and/or Class 8 materials on the same motor vehicle is not authorized; § 173.848(g)(3) in that detonators and detonator assemblies are not authorized to be packed together on the same motor vehicle with other Class 1 explosives, except as specified herein.

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5. **BASIS:** This exemption is based on the application of Dyno Nobel Inc. dated May 8, 2003, submitted in accordance with § 107.109.
6. **HAZARDOUS MATERIALS (49 CFR § 172.101):**

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Ammonium nitrate-fuel oil mixture containing only prilled ammonium nitrate and fuel oil	1.5D	NA0331	II
Boosters, without detonator	1.1D	UN0042	II
Cord, detonating, flexible	1.1D	UN0065	II
Cord, detonating, flexible	1.4D	UN0289	II
Corrosive liquid, acidic, organic, n.o.s.	8	UN3265	II
Detonator assemblies, non-electric, for blasting	1.1B 1.4B	UN0360 UN0361	II II
Detonators, electric, for blasting	1.1B 1.4B	UN0030 UN0255	II II
Explosive, blasting, Type E or Agent Blasting, Type E	1.5D	UN0332	II
Oxidizing liquid, n.o.s. (Ammonium nitrate emulsion)	5.1	UN3139	III

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.

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7. SAFETY CONTROL MEASURES:a. PACKAGING - Prescribed packagings are as follows:

- (1) The following packagings are authorized for the Class 8 hazardous materials:
 - (i) Non-DOT specification metal containers shown in Dyno Nobel's Drawing Nos. YAT12005B, 321298, 321299 and AYC691 appended to the October 25, 1995 application and Dyno Nobel's Drawing Nos. 310082, 310083 and 310084 appended to the March 20, 2001 application, all of which are suitable for the transportation of UN3265, Packing Group II liquids. Drawings are on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).
 - (ii) Non-DOT specification metal containers of similar design which have been authorized in writing by the Associate Administrator for Hazardous Materials Safety prior to first shipment may also be used.

The metal containers must have a net volumetric capacity of not more than 450 liters (119 gallons) and must be permanently mounted in the motor vehicle cargo area. The container may not have a common wall with other compartments or tanks containing Division 1.5 explosive materials or Division 5.1 liquid oxidizing materials.
- (2) The following packagings are authorized for the Division 1.5D explosive materials and the Division 5.1 liquid oxidizer materials which have been authorized by RSPA for shipment in bulk under this exemption:
 - (i) Non-DOT specification compartmented cargo tanks suitable for transportation of UN0332 liquid blasting explosives as shown in Tradestar's Drawing Nos. YRP00006 and YAT0028 appended to the October 25, 1995 application and on file with OHMEA.

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(ii) Non-DOT specification compartmented cargo tanks suitable for transportation of UN0332 liquid blasting explosives and UN3139 liquid oxidizers as shown in Dyno Nobel's Drawing Nos. 310082, 310083, 310084 and 310085 appended to the March 20, 2001 application and on file with OHMEA.

(iii) Non-DOT specification compartmented cargo tanks of similar design which have been authorized in writing by the Associate Administrator for Hazardous Materials Safety prior to first shipment may also be used.

All non-DOT specification cargo tanks must be equipped with pressure relief systems meeting the requirements of §§ 178.346-3 or 178.347-4.

- (3) The Division 1.1D and 1.4D explosives must be packaged as prescribed in the § 173.62(c) Table according to their UN number and overpacked in an IME Safety Library Publication 22 (IME-22) container or compartment.
- (4) The 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 or compartment.

b. OPERATIONAL CONTROLS -

- (1) Transportation is limited to private carriage only.
- (2) The two IME 22 containers or compartments must be located either directly behind the cab or under the chassis deck on the opposite sides of the transport vehicle. An IME 22 container or compartment may not be in contact with another IME 22 container or compartment or a tank, container or piping containing a hazardous material.
- (3) None of the materials in any cargo tank or container on the motor vehicle may be mixed, transferred or circulated while the vehicle is in transit on a public road or highway.

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

8. SPECIAL PROVISIONS:

- a. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.
- b. The cargo compartment of the motor vehicle must be plainly and durably marked on both sides behind the cab section in letters and numbers at least 5 cm (2 inches) high on a contrasting background "DOT-E 11579".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

- a. A current copy this exemption must be carried aboard each motor vehicle used to transport the combinations of hazardous materials 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.

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.

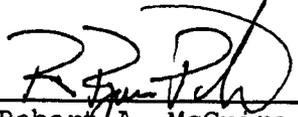
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

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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/alb

JUL 3 0 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
Alpha Dyno Nobel, Inc. Lincoln, CA	Aug 15, 2003	Sep 11, 2003	May 03, 2005
Austin Powder Company Cleveland, OH	Jun 11, 2003	Jun 27, 2003	May 31, 2005
Buckley Powder Company Englewood, CO	Jun 27, 2003	Jun 27, 2003	May 31, 2005
Buckley Powder Company of OK, Inc. Englewood, CO	Jun 27, 2003	Jun 27, 2003	May 31, 2005
Controlled Explosives Inc. (CONEX) Evansville, IN	Aug 05, 2003	Aug 11, 2003	May 31, 2005
Controlled Explosives, Inc. (Conex) Evansville, IN	Aug 05, 2003	Aug 11, 2003	May 31, 2005
Mine Equipment & Mills Supply Company (MEMSCO) Evansville, IN	Aug 05, 2003	Aug 11, 2003	May 31, 2005
Wampum Hardware Company New Galilee, PA	Jul 19, 2004	JUL 3 0 2004	May 31, 2005

Robert A. McGuire
 dn Robert A. McGuire
 Associate Administrator for
 Hazardous Materials Safety

JUL 3 0 2004

Date