



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

APR 27 2004

DOT-E 11697
(FIFTH REVISION)

EXPIRATION DATE: March 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: The U.S. Department of Defense (DOD)
Fort Eustis, Virginia
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of Class 1 explosives in LASH barges which are stowed in certain hold spaces at a distance less than 3 meters (10 Feet) from a bulkhead of a machinery space. The bulkhead of a machinery space separating that machinery space from a cargo hold to which this exemption applies is of ½ inch steel construction insulated on the cargo hold side to A-60 standard in accordance with § 176.116(e)(3). "A-60 standard" means that the bulkhead will retard the passage of heat, smoke, and flame for at least one hour. 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 § 176.116(e)(3), except as specified herein.

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5. BASIS: This exemption is based on the Department of Defense's application of March 2, 2004, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identifi- fication Number	Packing Group
Ammunition and other military explosives -- proper shipping names as appropriate	1 *	Various	N/A

*Various divisions and capability groups.

7. PACKAGING AND SAFETY CONTROL MEASURES:

- a. The vessels and respective hold spaces to which this exemption applies are:

VESSEL	CARGO HOLDS TO WHICH EXEMPTION APPLIES
SS Green Harbor SS Green Valley SS Jeb Stuart	Cargo holds 4 and 6
Austral Rainbow	Cargo hold 3

And other vessels of similar design to be identified in writing to and acknowledged in writing by the Office of Hazardous Materials Exemptions and Approvals.

b. LASH barges are SABS-classed, welded steel construction; 61'=" long overall by 31'-2" wide overall by 14'-5" deep. Barges have 1/4" shell plating, are fully framed and double bottomed. They are designed to be stacked in cells above or below deck and lifted on and off the vessel fully loaded.

c. Ammunition (Class 1 explosives) stowed in the barges is palletized, blocked and braced in accordance with applicable 49 CFR regulations and DOD instructions.

d. When barges are stowed fore or aft of the vessel's machinery space, there is at least 12 inches of void space separating the machinery space bulkhead from the skin of the barge.

e. The barges are under climate-control (temperature and humidity) monitored by the vessel's crew typically every half hour each day.

8. MODES OF TRANSPORTATION AUTHORIZED. Cargo vessel.

9. MODAL REQUIREMENTS. A current copy of this exemption must be carried on board each cargo vessel used to transport the hazardous materials covered by this exemption.

10. 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.

11. 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. (Current 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Robert A. McGuire

on
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: AM