

February 18, 2004



U.S. Department  
of Transportation

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

**Research and  
Special Programs  
Administration**

DOT-E 13322

EXPIRATION DATE: December 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: UXB International Inc.  
Ashburn, VA
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce for disposal purposes of certain Class 1 waste hazardous materials in non-bulk packagings, by private vehicle in a specially designed bomb-disposal trailer as the outer packaging. 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. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
  - c. Party status will not be granted.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.56(b) in that the explosives do not have to be approved by DOT prior to shipment; and § 173.62(c) in that the bomb-disposal trailer shall be used in place of any UN Specification outer packaging required. 49 CFR §§ 172.301(a) and 172.301(c), in that the inner packagings are not required to be marked with the proper shipping description, identification number, and exemption number and 49 CFR § 172.400 in that the inner packagings are not required to be labeled.
5. BASIS: This exemption is based on the application of UXB International dated October 17, 2003 and supplemental information dated December 16, 2003, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Waste Articles, explosive, n.o.s.	1.4E	UN0471	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification packaging system described as follows:

(1) Inner Packaging - Waste explosive substances shall be placed in sift-proof plastic or fiberboard containers if dry and waterproof rubber or plastic containers if wetted. Waste explosive articles shall be packaged in fiberboard, metal or plastic boxes with sufficient dunnage or cushioning to prevent movement within the box during transport.

(2) Outer Packaging - a spherical steel bomb-proof vessel mounted in a mobile trailer made by Dynasafe or similar manufacture as shown in drawings submitted by the applicant on file with the Office of Hazardous Materials exemptions and Approvals and proven to withstand the explosive force of not less than 5 kilograms (11.2 pounds) of dry PETN. The total net explosive mass of all explosive substances and/or explosive compositions within articles in the mobile bomb-proof vessel shall not exceed 4.5 kilograms (10 pounds). All inner packagings shall be sufficiently cushioned, blocked or braced within the outer packaging in order to prevent movement during transport. The total amount of explosives, inert materials, packagings and dunnage may not exceed 60 percent of the volumetric capacity of the vessel chamber.

b. OPERATIONAL CONTROLS -

(1) All shipments shall be made with a driver employed by UXB International. A second driver employed by UXB International who is knowledgeable with explosives must accompany each shipment.

(2) The transportation of the material authorized by this exemption is limited to one-way shipments from the loading site the trailer vehicle to an authorized waste disposal facility.

(3) No intermediate stops or transfer of materials is authorized.

(4) The trailer vehicle is not authorized to be reoffered when containing hazardous materials.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be maintained at each facility where the package is offered for transportation.

b. Liquid explosive materials may not be transported under this exemption.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS:
- a. A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.
  - b. The mobile bomb-proof trailer shall be stenciled on two opposing sides with not less than 2" high durable lettering "DOT-E 13322."
  - c. The trailer must be placarded with EXPLOSIVE 1.4E placards.
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.

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.

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 incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



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for Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

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: WATSON