

September 29, 2006



U.S. Department  
of Transportation

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

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 14375

EXPIRATION DATE: August 31, 2008

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Eagle Picher Technologies, LLC  
Joplin, MO
2. PURPOSE AND LIMITATION:
  - a. This special permit To authorize the transportation in commerce of certain Division 1.1A explosives in a solution of ethanol and water when transported in specially designed packaging configuration by motor vehicle. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
  - c. Party status will not be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.54 and 173.57, in that the dry explosive substance (potassium dinitrobenzofuroxane) is forbidden except as specified herein; and the wetted desensitized explosive substance (50% in ethanol) has not yet been approved in accordance with § 173.56.

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5. BASIS: This special permit is based on the application of Eagle Picher Technologies, LLC dated May 11, 2006 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>
Substances, explosive, n.o.s. (Potassium dinitrobenzofuroxane and ethanol)	1.1A	0473	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The material must be packaged in the following manner: No more than 500 grams of potassium dinitrobenzofuroxane mixed with no less than 500 grams of ethanol contained in a nalgene bottle with a threaded closure secured with tape. The bottle is placed in a tightly closed polyethylene bag at least 3 mils thick. The bagged bottle is placed in a two gallon metal can with the closure held in place by positive means. The metal can is placed in an eight gallon UN 1A2 steel drum with a polyethylene liner. All empty space between the nalgene bottle and the two gallon can and between the two gallon can and the eight gallon drum must be filled with vermiculite or some similar material.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit 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 special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

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- c. In addition to the EXPLOSIVE label, (§ 172.411(b)), the package must bear the FLAMMABLE LIQUID label (§ 172.419).
9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle and cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit 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 special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this special permit 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 special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

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12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Robert A. McGuire  
Associate Administrator  
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm). Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: SW/sln