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

FEB 29 2000

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

DOT-E 11986
(THIRD REVISION)

EXPIRATION DATE: January 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109.)

1. GRANTEE: The Department of Defense (DOD)
Washington, DC

2. PURPOSE AND LIMITATION: This exemption authorizes the stowage of Division 1.2, compatibility group L explosives, in a freight container below deck aboard Large, Medium Speed, Roll-on/Roll-off (LMSR) vessels. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 176.136(a) and (b).

5. BASIS: This exemption is based on the application of DOD dated January 18, 2000, submitted in accordance with § 107.109 and an additional letter dated February 14, 2000.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Contrivances, water-activated, *with burster, expelling charge or propelling charge*	1.2L	UN0248	II

7. SAFETY CONTROL MEASURES:

The Division 1.2, compatibility group L material stowed in the container is palletized and blocked and braced in accordance with applicable Hazardous Materials Regulations (HMR) and DOD instructions.

To preclude contact with water, each four-round clip is enclosed in a clear plastic barrier material which is vacuum sealed around it. Each vacuum-sealed plastic barrier bag is placed in a fiberboard box filled with vermiculite. The fiberboard box is then enclosed in another vacuum-sealed barrier bag. Four sealed fiberboard boxes are overpacked in a wirebound crate. The cargo container will contain no more than 100 four-round clips.

8. SPECIAL PROVISIONS: None, other than as required by the Hazardous Materials Regulations.

9. MODES OF TRANSPORTATION: Cargo vessel.

10. MODAL REQUIREMENTS:

a. This exemption applies only to LMSR vessels.

b. LMSR vessels are cargo vessels specifically designed to carry military cargoes. The vessels are designed to ABS Rules for Building and Classing Steel Vessels, USCG regulations (46 CFR Subchapter I), SOLAS regulations, and the Circular of Requirements (DOD requirements) and are equipped with a fire protection system as detailed in Commandant (G-MTH-4) letter of November 5, 1993.

c. The freight container used to store Class 1 materials must be leakproof.

d. The door of the freight container must have a padlock or equally effective means of securing.

e. The exterior of the freight container must be monitored weekly by a maintenance crew stationed aboard the pre-positioned vessel.

f. The vessel's hold ventilation system must be maintained in the environmental or climate-controlled (temperature and humidity) mode, except that the on/offload ventilation mode must be used during Vehicle Exercise and Re-Processing (VERP) sessions and other necessary maintenance and inspection operations.

g. Cargo tanks containing JP-8 fuel must be stowed at least 2 decks below the container containing the Class 1 material identified in paragraph 6.

h. A current copy of this exemption must be carried on board each cargo vessel used to transport 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:

- All terms and conditions prescribed in this exemption and the HMR, 49 CFR Parts 171-180.
- 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 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 at Washington, D.C.:

R. Ryan Posten

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

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(DATE)

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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.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, SW, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

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PO: sln00