U.S. Department
of Transportation

**Research and
Special Programs
Administration**

OCT - 7 1994

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

DOT-E 11334

EXPIRATION DATE: October 15, 1994

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

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

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of a Division 1.1D explosive by cargo aircraft only, which is forbidden by the Hazardous Materials Regulations. 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 Section 172.101 table, Column (9B).

5. BASIS. This emergency exemption is based on Dyno Nobel, Incorporated's application dated October 6, 1994, and supporting information from Phoenix Air dated October 5, 1994 submitted in accordance with 49 CFR 107.113 and a determination that it is necessary to preclude a serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
Explosive, blasting, type A (EX-8409014A)	1.1D	UN0081	II

7. PACKAGING AND SAFETY CONTROL MEASURES: This exemption authorizes the shipment of 100 cases of the explosive identified in Paragraph 6 above, not to exceed a total net explosive weight of 5,500 pounds (55 pounds per case). Packaging, marking, labeling and loading are as prescribed for the specific material in accordance with the requirements of CFR Title 49.

8. SPECIAL PROVISIONS.

a. This exemption does not grant authority to use foreign controlled airspace or airports outside the United States.

b. The shipment is to originate at Anniston Airport, AL destined for San Juan Airport, P.R. to be carried by Phoenix Air, in accordance with the terms and conditions required under DOT-E 8826, except that the total net weight of the explosive may not exceed 5,500 pounds.

c. No other cargo is authorized aboard the aircraft.

d. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

9. MODES OF TRANSPORTATION AUTHORIZED. Cargo only aircraft

10. MODAL REQUIREMENTS:

a. A copy of this exemption must be carried aboard the aircraft used to transport packages 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. Section 5101 et seq.:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

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 unless a regulation has been amended making the exemption no longer necessary.

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. (49 CFR 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 incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

OCT - 7 1994

(DATE)

Alan I. Roberts
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.

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.

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