U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

APR 29 1996

DOT-E 7929
(THIRD REVISION)

EXPIRATION DATE: September 30, 1996 See Appendix A for PTE Expiration date(s)

(FOR RENEWAL, SEE 49 CFR SECTION 107.105)

1. GRANTEE: Austin Powder Company
Cleveland, Ohio

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of Trinitrotoluene (TNT) in woven plastic bags with plastic film liners. 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 173.62.

5. BASIS: This exemption is based on the application of Austin Powder Company's dated February 21, 1996, submitted in accordance with 49 CFR 107.105.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Trinitrotoluene (TNT)	1.1D	UN0209	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

Packagings prescribed are either a woven polyethylene or polypropylene cloth outer bag, enclosing an inner bag made of polyethylene film. The packagings must be in accordance with the detailed specifications designated "Specification EP.102.002" and "Specification EP.103.003" included in petitioner's application dated January 5, 1982. The packagings must be capable of passing the tests prescribed in 49 CR 178.241-4. The packagings must be completely sift-proof. The net weight of the package must not exceed 81 pounds.

8. SPECIAL PROVISIONS:

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. 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.

d. This exemption will not carry an expiration date subsequent to September 30, 1996 since the use of the packaging is prohibited after that date. This is consistent with the transitional provision of 49 CFR Section 171.14 and the implementation of the new packaging requirements adopted under Docket HM-181.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.

10. MODAL REQUIREMENTS:

A copy of this exemption must be carried aboard each motor vehicle 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.

- o 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.

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.:

for Marilyn J. Morris

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

APR 29 1996
(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.

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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