U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 9243

1. ABATAR, Inc., Winter Park, Florida, is hereby granted an exemption from those provisions of this Department's Hazardous Materials Regulations specified in paragraph 5 below to offer packages prescribed herein of a class C explosive for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the shipment of a trick noise maker in outside packagings which are not required to be marked or labeled, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on an application from ABATAR, Inc., dated March 30, 1984, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Trick noise maker containing not more than 0.35 grams of nitrated cotton and a short piece of safety fuse; classed as class C explosive.

4. PROPER SHIPPING NAME (49 CFR 172.101). Trick noise maker, explosive.

5. REGULATION AFFECTED. 49 CFR Part 172, Subpart D, Subpart E; and §§ 173.111(a)(3), 175.30.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight, cargo vessel, passenger-carrying aircraft, cargo-only aircraft.

7. SAFETY CONTROL MEASURES. Packaging is as prescribed in 49 CFR 173.111.

8. SPECIAL PROVISIONS.

a. The marking and labeling requirements of §§ 172.301 and 172.400 and the loading requirements of § 174.115 are waived.

b. Persons who receive packages covered by this exemption may reship them pursuant to the provisions of 49 CFR 173.22a.

c. A copy of this exemption must be carried aboard each vessel used to transport packages covered by this exemption.

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package must be reported to the Office of Hazardous Materials Regulation as soon as practicable.

10. EXPIRATION DATE. March 31, 1986.

Issued at Washington, D.C.

AUG 15 1984

(DATE)

for Alan I. Roberts
Associate Director for
Hazardous Materials Regulation
Materials Transportation Bureau

Address all inquiries to: Associate Director for Hazardous Materials Regulation, Materials Transportation Bureau, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: FHWA, FRA, USCG, FAA