U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 9377 (EXTENSION)
ORIGINAL August 9, 1985
CORRECTED COPY

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 9377 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to September 30, 1996. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.105. This extension constitutes a necessary part of this exemption and must be attached to it.

for Marilyn E. Morris
Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

MAY 9 1996
(DATE)

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
Austin Powder Company Cleveland, OH	January 25, 1996
ICI Explosives USA, Inc. Dallas, TX	March 27, 1996

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DOT-E 9377
(CORRECTED COPY)

1. Altas Powder Company (APC), Dallas, Texas, 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 Class A explosives for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transportation of high explosives containing more than 5% moisture in packagings without inner plastic bags or other linings, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on APC's application dated January 9, 1985 submitted in accordance with 49 CFR 107.103 and the public proceeding thereon, and supplemental letter dated July 23, 1985.

3. HAZARDOUS MATERIALS (Descriptor and class). High explosive emulsion products containing more than 5% moisture; Class A explosives specifically identified to, and acknowledged in writing by, this office prior to the first shipment.

4. PROPER SHIPPING NAME (49 CFR 172.101). High explosive.

5. REGULATION AFFECTED. 49 CFR 173.65(a)(5).

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight, cargo vessel.

7. SAFETY CONTROL MEASURES. Packaging prescribed is as required by 49 CFR except that the requirement for an inner plastic bag or paraffined paper or other authorized material as a liner, as required in 49 CFR 173.64(a)(5), is waived.

8. SPECIAL PROVISIONS.

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

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

c. Materials shipped under this exemption must be emulsion type high explosives which have the property of becoming less sensitive to initiation as they dry out.

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

10. EXPIRATION DATE. February 28, 1987.

Issued at Washington, D.C.

J. R. Grothe for

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

AUG 9 1985
(DATE)

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: USCG, FHWA, FRA,