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

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

DOT-E 9914

OCT 3 1988

1. Explosives Technologies International (ETI), Wilmington, Delaware, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of blasting agents for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transportation of certain blasting agents in bulk packagings, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on an application from ETI dated December 30, 1987, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Blasting agents, n.o.s., classed as blasting agent, specifically identified to and acknowledged in writing by, this office prior to the first shipment.

4. PROPER SHIPPING NAME (49 CFR 172.101). Blasting agent, n.o.s.

5. REGULATION AFFECTED. 49 CFR 173.114a.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle and cargo vessel.

7. SAFETY CONTROL MEASURES. Packagings prescribed are DOT Specification MC-306, MC-307 and MC-312 cargo tanks; DOT Specification IM 101 and 102 portable tanks; IMO Type 1 and Type 2 portable tanks.

8. SPECIAL PROVISIONS.

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

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

c. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.

d. Each cargo tank must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background, "DOT-E 9914". Each portable tank must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 9914".

e. Shipment by highway is limited to transportation by private carriage only, or to common or contract carriers specifically identified to, and acknowledged in writing by OHMT prior to the first shipment.

f. For transportation by cargo vessel, the following shall apply:

(i) The cargo tanks or portable tanks must be stowed "on deck" only.

(ii) The blasting agents must be separated from other hazardous materials in accordance with the requirements for Class A explosives. In addition, the blasting agents must be stowed "separate from" non-regulated readily combustible materials, as defined in 49 CFR 176.83(d).

(iii) The cargo tanks and portable tanks must be stowed in a readily accessible location which can be reached by at least two streams of water from separate fire hydrants or an effectove stream, of water from a vessel alongside if being carried on an unmanned barge.

(iv) Before cargo tanks or portable tanks containing blasting agents are loaded on or discharged from a vessel at any point in the United States, the carrier must obtain a permit from the Coast Guard Captain of the Port. A copy of this exemption must be provided to the Captain of the Port when requesting a permit.

g. Each cargo tank and portable tank is authorized only for dedicated use and must be cleaned thoroughly each time it is used for a different formulation. Each tank must be thoroughly cleaned at least once every 6 months.

h. Each cargo tank must receive an external visual inspection once every year and be retested once every 2 years in accordance with 49 CFR 177.824. Pneumatic testing is authorized in place of the required hydrostatic test.

Compliance with 49 CFR 177.824(c)(4) is hereby waived.

i. Each portable tank must be reinspected and retested in accordance with 49 CFR 173.32 or 173.32(b) as appropriate.

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package must be reported to the OHMT as soon as practicable.

10. EXPIRATION DATE. June 30, 1990.

Issued at Washington, D.C.:

OCT 3 1988

Alan I. Roberts
Director
Office of Hazardous Materials Transportation

(DATE)

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

Dist: USCG, FHWA