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

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

MAY 13 1997

DOT-E 8265
(SECOND REVISION)

EXPIRATION DATE: **April 1, 1999** **THIS EXEMPTION WILL NOT BE RENEWED**

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Alliant Techsystems, Inc.
   Hopkins, MN

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain Division 1.3C smokeless propellants and Division 4.1 smokeless powder for small arms in non-specification packaging, subject to the provisions prescribed herein. 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 Part 172.101 Table, (only insofar as NA3178, smokeless powder for small arms, 4.1 requires PG I packaging); 173.171 (only insofar as NA3178, smokeless powder for small arms, 4.1 requires an approval from the AAHMS); and 173.62(c) Table (only insofar as Packing Method E-22 for UN0161 requires Specification 4G fiberboard boxes or Specification 1G fiberboard drums as outer packaging).

5. BASIS: This exemption is based on the application of Alliant Techsystems, Inc. dated October 29, 1996 and supplemental correspondence dated January 13, 1997, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Smokeless powder for small arms[1](not more than 100 pounds net weight in one motor vehicle);or	4.1	NA3178	I
Powder, smokeless[1], as appropriate	1.3C	UN0161	II

Note 1: Trademarked only as follows: Bullseye®, Red Dot®, Green Dot®, Unique®, Herco®, Blue Dot®, 2400® and ReLoder® 7, 13, 19 or 22, as formerly manufactured and packaged by Hercules Incorporated.

7. PACKAGING AND SAFETY CONTROL MEASURES:

The following packaging are authorized:

a. Up to ten tubular fiberboard sidewall-metal ended composite cans with plastic pour spout closures, each containing one pound of powder packaged in a DOT Specification 12B30 fiberboard outer box.

b. Up to six tubular fiberboard sidewall-metal ended composite cans with plastic pour spout closures, each containing not more than five pounds of powder and packaged in a DOT Specification 12B40 fiberboard outer box.

c. Up to two DOT Specification 21C60 fiberboard containers, each containing not more than eight pounds of powder and packaged in a non-specification corrugated fiberboard outer box with a bursting strength of at least 200 psi.

d. Powders which have already been classified as Division 1.3C and are specifically listed in Note 1 of the Paragraph 6 Table may be inter-mingled providing all the inner packagings are the same size and weight and conform to one of those described in subparagraph a, b or c above.

e. When the outer boxes contain less than the maximum number of inner packagings, the empty spaces must be filled with corrugated fiberboard padding or dividers, so that movement of the inner packagings during transport is prevented.

8. SPECIAL PROVISIONS:

a. This exemption authorizes transport of only those products listed in Paragraph 6, Note 1 which were manufactured and packaged by Alliant Techsystems or Hercules Incorporated on or before June 30, 1996.

b. 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.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, 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. The shipper shall furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

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.

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.:

MAY 13 1997

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(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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