U.S. Department
of Transportation

**Research and
Special Programs
Administration**

APR 22 1999

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

DOT-E 9768
(TWELFTH REVISION)

EXPIRATION DATE: July 31, 1999

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Embassy of Switzerland
Defense Procurement Office
Washington, D. C.

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of the hazardous materials listed in paragraph 6 below by cargo aircraft only, which are forbidden or exceed the quantity limitations authorized for shipment by air. 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 § 172.101 Table, Column (9B); 175.3.

5. BASIS. This exemption is based on the Embassy of Switzerland Defense Procurement Offices' application dated July 15, 1997, submitted in accordance with § 107.109 and supplemental letter dated November 12, 1997 and April 16, 1999.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	UN Ident ication number	Packing Group
Articles, explosives, n.o.s. (EX-9104134)	1.4S	UN0349	II
Boosters, without detonator (EX-8711509)	1.1D	UN0042	II
Charges, propelling (EX-9004227)	1.3C	UN0272	II
Detonators for ammunition (EX-8803200)	1.4B	UN0365	II
Fuzes detonating (EX-9105146 and EX-9112111)	1.4B	UN0257	II
Igniters (EX-8703289; EX-8810145; EX-8812003 and EX-8301040)	1.4G 1.4S 1.4S 1.4S	UN0325 UN0454 UN0454 UN0454	II II II II
Primers, tubular (EX-9105174)	1.4G	UN0320	II
Projectiles, *with bursting charge* (EX-8309173)	1.1D	UN0168	II
Rocket motors (EX-9807128)	1.1C	UN0280	II
Rocket motors (EX-8702132)	1.3C	UN0186	II
Rocket, *with bursting charge* EX-9204344 and EX-9807127)	1.1E	UN0181	II
Substances, explosive, n.o.s. (EX-940529 and EX-9208099	1.1D 1.3.C	UN0475 UN0477	II

Hazardous materials description/proper shipping name	Hazard Class/ Division	UN Ident ication number	Packing Group
Warhead, rocket, *with bursting charge* (EX-9510082)	1.1D	UN0286	II

and other explosives which are specifically identified to and acknowledged in writing by the Office of Hazardous Materials Exemptions & Approvals (OHMEA) prior to shipment. All explosives must have been approved pursuant to § 173.56.

For the N.O.S. entries above, the requirements of § 172.203(k) must be met.

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. All explosive articles shipped under this exemption must be packaged in conformance with § 173.62 Packing Methods prescribed by their U.N. identification numbers.

b. A maximum of 50 pallets (56,000 pounds) may be loaded on a DC8-63 CF, Hercules L-100-30, DC8-55, DC8-62 or DC8-73 aircraft.

c. Materials must be loaded at Tucson International Airport, Tucson, Arizona and, or Huntsville International Airport, Huntsville, Alabama, both under direct supervision of the Department of Defense. The destination is Emmen Air Force Base, Emmen, Switzerland.

d. The carrier must conform to the requirements of § 175.320(b).

e. Any fuzes in the explosive articles described as "Projectiles" must be of the safe and arm type and be in the "safe" position during transportation.

f. No other cargo is authorized aboard the aircraft except for those explosive articles authorized for shipment under the terms of this exemption, and non-hazardous components and test equipment.

8. SPECIAL PROVISIONS.

a. Prior to each shipment, the name of the air carrier and types of explosives to be transported including the proper shipping name, classification and EX approval number must be identified to and acknowledged in writing by the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

b. A copy of the air bill must be forwarded to the OHMEA within 10 days after completion of each shipment made under this exemption.

c. This exemption does not grant authority to use foreign controlled airspace or airports outside the United States.

9. MODES OF TRANSPORTATION AUTHORIZED. Cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo aircraft used to transport packages covered by this exemption. The shipper must 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.C.S. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- Registration required by § 107.106 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

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.

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12. REPORTING REQUIREMENTS. The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 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 fire, explosion or the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

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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.

Copies of exemptions may b obtained form the AAHMs, U.S. Department of Transportation, 400 7th Street, SW, Washington, DC. 20590-0001, Attention: Records Center, 202-366-5046.

Dist: FAA
PO: sln99