

March 5, 2009



U.S. Department
of Transportation

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 10442
(FIFTEENTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain unapproved Division 1.1A, 1.1D and 1.3C waste explosive substances on the same motor vehicle with waste Division 4.1 flammable solids, subject to the limitations and packaging provisions prescribed herein. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.56(b), in that examination, classing and approval of the waste explosive substances are waived; and § 177.848(d) Table, in that Division 1.1D explosives may be transported on the same motor vehicle as Division 1.3G explosives and Division 4.1 flammable solids.
5. BASIS: This special permit is based on the Pipeline and Hazardous Materials Safety Administration's (PHMSA) editorial review under § 107.121 initiated on December 4, 2008.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Waste substances, explosive, n.o.s.(trash containing not more than 0.2 percent by weight initiating explosives, wetted with water or fuel oil, a/k/a "IE-1")	1.1A	UN0473	II
Waste substances, explosive, n.o.s.(trash containing not more than 6 percent by weight UTP-25540, a/k/a "UTC Material A")	1.1D	UN0475	II
Waste substances, explosive, n.o.s.(trash containing not more than 6 percent by weight of various propellant explosives, a/k/a "UTC Material B"; or water wet scrap propellant process debris, a/k/a "Prop-1")	1.3C	UN0477	II
Waste substances, explosive, n.o.s (dry process debris containing not more than 10 percent by weight magnesium-teflon-viton flare mix, a/k/a "MTV-1")	1.3G	UN0478	II
Waste flammable solid, organic n.o.s (trash containing not more than 0.7 percent by weight reactive materials a/k/a "FS-1", wetted with water or fuel oil)	4.1	UN1325	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) Division 1.1A primary explosive waste residues (IE-1) must be double-bagged in conductive plastic or rubber bags and packaged in a UN1G fiber drum. Maximum gross weight for each fiber drum may not exceed 100 pounds.

(2) Division 1.1D waste explosive contaminated trash ("UTC Material A") and Division 1.3C waste propellant contaminated trash ("UTC Material B") must each be placed in a conductive plastic or rubber bag (minimum thickness 0.10 mm or 0.004"), sealed with plastic adhesive tape and packaged in a UN1G fiber drum. Larger, robust articles such as sections of piping, valves and other waste explosive contaminated process equipment suitable for cradling and crating may be packaged in UN 11G fiberboard or UN 11D plywood intermediate bulk containers.

(3) Division 1.3C scrap propellant ("PROP-1") and Division 4.1 flammable solids ("FS-1") must be double-bagged in static resistant plastic (minimum thickness 0.15 mm or 0.006") and packaged in a UN1G fiber drum. The maximum gross weight must not exceed 80 pounds in a 20 gallon drum or 125 pounds in a 30 gallon drum.

(4) Division 1.3G flare mix waste residues ("MTV-1") must be double-bagged in conductive plastic or rubber bags, each sealed with plastic adhesive tape. Sealed bags must be packaged in a UN4G fiberboard box. Unused space must be filled with anti-static foam dunnage/cushioning. The maximum gross weight of each outer package may not exceed 50 pounds.

8. SPECIAL PROVISIONS:

a. The outside of each package must be legibly and durably marked with the following lettering: "DOT-SP 10442".

b. Transportation is limited to between the applicant's manufacturing facilities and the intended waste incineration facilities.

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c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

b. Waste explosive materials listed in this special permit may be transported together on the same motor vehicle.

c. Drivers must be trained to be knowledgeable with all current DOT hazardous material regulations pertaining to carriage of Class 1 and Division 4.1 materials.

d. Motor carriers operating under the terms of this special permit must have at least a "satisfactory" safety rating as prescribed in 49 CFR Part 385.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

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

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No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) - 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Theodore L. Willke
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.
PO: SCWatson/sln