

APPENDIX K

HAZARDOUS MATERIALS (HAZMAT) SPECIAL PERMITS (SP)

A. EXCEPTIONS

Information in this appendix addresses waivers and SP to provisions of this Regulation, Part II, Cargo Movement, Chapter 204, in handling HAZMAT during unit deployments.

B. WAIVERS

Department of Defense (DOD) Components having operational control of a specific location, operation, or exercise may waive DOD Component's regulations for the handling of ammunition, explosives, and other HAZMAT. They will ensure compliance with Host Nation (HN) regulations. DOD Components, to include Combatant Commanders (CCDR), cannot waive provisions of United States (US) 49 Code of Federal Regulations (CFR), or International Maritime Dangerous Goods Code (IMDGC). Requests for SPs to these rules must be processed as indicated below.

C. SP

1. SPs are issued by the Department of Transportation (DOT) on a case-by-case basis for deviations from 49 CFR (for Continental United States shipments only) (http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm). The shipper will submit the SP request to their Service focal point, as listed in this Regulation, Part II, Chapter 204, Table 204-1. Air Force Manual 24-204(I), Technical Manual 38-250, Marine Corps Order P4030.19I, Naval Supply Pub 505, Defense Logistics Agency Instruction 4145.3, and Defense Contract Management Agency Directive 1, CH 3.4 (HM24) Preparing Hazardous Materials for Military Air Shipments and Army Regulation 700-143, Air Force Joint Instruction 24-210, DLAD 4145.41, Naval Supply Instruction 4030.55B, MCO 4030.40B, Packaging of Hazardous Material provides additional details. The shipper is responsible for providing SP documentation to the mobility force. A copy of the SP must accompany each shipment. The mobility force will accept non-compliant material for air transport only when accompanied by a DOT SP. SP to IMDGC will be granted by the International Maritime Organization and/or DOT via Competent Authority Approval or DOT- SP.
2. Military Surface Deployment and Distribution Command (SDDC) Operations, in coordination with the DOT, will act as the DOD proponent for SP requests. Transportation Officers (TO) and Mobility Officers (MO) will submit requests through their Service representatives to Operations. Operations will notify Service representatives and the requester of the results. If the continental US shipment is Jones Act ocean transportation, the Military Sealift Command (MSC), in coordination with DOT, will act as the DOD proponent for SP requests. TOs and MOs will submit requests thru Service representatives to SDDC which will process the requests in coordination with MSC.

3. SP requests for 49 CFR and IMDGC will contain the following information:
 - a. Provision(s) requiring SP.
 - b. Detailed description of proposal, including plans, drawings, calculations, procedures, test results, previous SP, approvals, or permits; a list of specifications or modified containers, if any, to be used; and any other supporting information.
 - c. Hazard identification must include proper shipping name, hazard classification, packaging description, quantity, chemical name and characteristics of the material, and other pertinent information.
 - d. Describe all relevant shipping and accident experience.
 - e. Specify the proposed mode(s) of transportation, identifying any increased risks likely to result if the SP is granted.
 - f. Justification for the SP, to include:
 - (1) Why existing regulations are not appropriate.
 - (2) How public or DOD interests are served.
 - (3) How the SP affects safety concerns.
4. Submit requests for extensions or renewals of a SP through Service representatives to SDDC, Attn: SDG3-DF.
 - a. Routine requests must be submitted 120 days prior to the need for the SP.
 - b. Applicant seeking to have the request processed on a priority basis (less than 120 days) must provide additional justification to support raising the priority.
5. DOT SPs are available for mobility exercises and actual operations. Shippers can request additional SPs or assistance on use of existing SPs through their Service representatives. Current SPs are available on the SDDC web page at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm or the DOT web page at http://hazmat.dot.gov/sp_app/approvals/exsys.htm.

D. MOBILITY CONSIDERATIONS FOR AMMUNITION SHIPMENTS THROUGH NON-AMMUNITION SEAPORTS

1. Ammunition and explosives are normally routed through authorized ammunition ports. During mobility operations, these shipments may be processed through non-ammunition ports, either military or civilian. Port commanders (CDRs) coordinate ammunition shipments through military and commercial ports within their area of responsibility. Each non-ammunition port has unique restrictions for processing ammunition and explosive shipments through their facility. Shippers must contact the port CDR to obtain information required by a specific port. Shippers will provide required information to the port CDR, and will ensure the port CDR has issued port operations approval prior to release of ammunition and explosives from origin. Coordination

must also be made between the CDR and HN port authority when using other than designated HN ports.

2. Shippers are responsible for obtaining all required SP.
3. Port CDRs are responsible for coordinating arrival of ammunition and explosive shipments at non-ammunition ports. Port commands will obtain all required waivers. Such waivers may grant permission to exceed Net Explosive Weight restrictions, alter temporary storage provisions, or conduct unusual loading operations.
4. Shippers and port command must ensure MSC local representatives:
 - a. Receive all pertinent shipment information prior to obtaining US Coast Guard permits.
 - b. Receive all pertinent shipment information to obtain HN permits.

E. USE OF CONTRACTED COMMERCIAL AIRCRAFT TO TRANSPORT EXPLOSIVES AND OTHER HAZMAT

Commercial airlift of explosives and other hazardous materials may be authorized aboard DOD contracted commercial carriers under certain tactical, contingency, or emergency conditions. For specific applications, refer to AFMAN 24-204(I), TM 38-250, MCO P4030.19I, NAVSUP Pub 505, DLAI 4145.3, and DCMAD 1, CH 3.4 (HM24).

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