

July 15, 2009



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 5022
(TWENTY SECOND 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 Division 1.1, 1.2 and 1.3 explosives in temperature controlled equipment subject to the limitations and special requirements specified 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 §§ 174.84; 174.101(1), 174.112(a), 176.116(e), 176.138(b) and 177.834(1)(1) in that rail cars, cargo vessels or highway vehicles carrying containers of Class 1 substances and articles may also be equipped with remote heating and/or refrigerating units for those containers; and the requirements of § 174.104(d) are waived.

5. BASIS: This special permit is based on the application of U.S. Department of Defense dated May 27, 2009 and additional information provided on June 30, 2009, submitted in accordance with § 107.117 and a determination that it is necessary for immediate national security.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/Division	Identification Number	Packing Group
Rocket motors	1.1C	UN0280	II
Rocket motors	1.2C	UN0281	II
Rocket motors	1.3C	UN0186	II
Rockets, <i>with inert head</i>	1.3C	UN0183	II
Rockets <i>with expelling charge</i>	1.2C	UN0436	II
Rockets <i>with expelling charge</i>	1.3C	UN0437	II
Charges, propelling	1.1C	UN0271	II
Charges, propelling	1.3C	UN0272	II
Propellant, solid	1.1C	UN0498	II
Propellant, solid	1.3C	UN0499	II
Igniters	1.3G	UN0315	II
Rocket motors with hypergolic liquids, <i>with or without an expelling charge</i>	1.3L	UN0250	II

7. SAFETY CONTROL MEASURES:

a. Commodities identified in paragraph 6 above, properly packaged in accordance with the HMR, may be shipped in or on rail cars or highway vehicles equipped with heating and refrigerating apparatus operated by diesel or gasoline fuel. Any electrical apparatus in the lading space must be of non-sparking or explosion proof type. There may not be combustion apparatus in the lading space, and no connection for return of air from the lading space to any combustion apparatus. The heating system must be such that no part of the lading will be heated to over 130 degrees F. and must conform to § 393.77.

b. Shipments covered by this special permit are limited to those shipments for which control is required to assure proper functioning of the motors or devices, and is not being required to preclude a transportation hazard developing from instability.

c. When a temperature control apparatus is operated by generator engines, fuel tanks for the generators must conform to construction requirements of § 393.67, "Liquid fuel tanks". The fuel tank must be capable of passing without leakage a 30 foot drop test on one corner when filled with 1808 pounds of water which represent a capacity of 266 gallons of fuel. The tank will contain a relief valve sized to meet the requirements of § 393.67. The fuel tank will be physically located outside of the cargo carrier.

d. Peacekeeper "MX" Stage I, II and III rocket motors must be as described in Certificates of Equivalency on file with the Office of Hazardous Materials Special Permits and Special Approvals (OHMSPA). The Rocket Motors must be secured in a Type II transporter CI-44000; shipping container CI-0044032 detailed in Drawing No. 863T0000000 and other drawings on file with OHMSPA. Transportation and handling of these rocket motors shall be in accordance with T.O. 21-LG118A-2-26 also on file with OHMSPA. Additionally, Stage I and II Rocket motors are authorized for shipment in the propulsive state with igniters installed.

8. SPECIAL PROVISIONS:

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

b. When transported by rail, the carrier is not required to meet the provisions required by § 174.104(d). Shipments may include trailer-on-flat-car service.

c. Shipments must be covered by government bills of lading or commercial bills of lading to be converted at destination to government bills of lading. Otherwise, any shipments made on commercial bills must be only for devices (covered by this special permit) that have been previously identified to the Office of Hazardous Materials Special Permits and Approvals (OHMSPA).

d. The requirements of § 174.84 are hereby waived to allow placement of cars bearing "Explosives" placards two cars ahead of a car occupied by observers or escorts, with a non-placarded buffer car in between when the occupied car is equipped with lighted heaters or stoves.

e. Shipments by motor carrier and/or commercial cargo vessel carrier are restricted to those carriers which have been specifically approved by the Military Surface Distribution and Deployment Command (SDDC), formerly the Military Traffic Management Command. Shipments by cargo vessel are only authorized between the Continental United states and Alaska.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle; rail freight and cargo vessel (see the limitation in paragraph 8.e.)

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle and cargo vessel used to transport packages covered by this special permit.

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.

No person may use or apply this special permit, including display of its number, when the 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

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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 Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

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: SW/sln