

May 1, 2008



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 9649
(ELEVENTH 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 munitions which contain components manufactured of depleted uranium metal, classified as Class 1 with a subsidiary hazard of Class 7, subject to the limitations and special requirements specified herein.
 - b. This special permit authorizes alternate radiation levels, markings, and sheathing for munitions packaged as prescribed by this special permit and transported with the subsidiary hazard of "Radioactive material, excepted package - articles manufactured from depleted uranium." This relief is authorized until May 1, 2010; or until May 1, 2012 for munitions located outside the continental United States (OCONUS) at any time during calendar years 2008 through 2010. After May 1, 2010, transport of all newly manufactured and continental United States (CONUS)- based depleted uranium munitions must be in compliance with paragraph 4.b. of this special permit.
 - c. This special permit authorizes alternate radioactive material marking, labeling, and shipping paper documentation for all munitions packaged as prescribed by this special permit and transported with the subsidiary hazard of "Radioactive material, low specific activity material (LSA-I)." After May 1, 2010, transport of all newly manufactured and CONUS-based depleted uranium munitions must be in compliance with paragraph 4.b. of this special permit.

d. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

e. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.

f. 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:

a. 49 CFR §§ 173.421(a)(2); 173.421(a)(4); 173.422(a); 173.426(b); 173.426(c); and 173.426(d) in that packages containing munitions with the subsidiary hazard of "Radioactive material, excepted package - articles manufactured from depleted uranium" are not required to: 1) be limited to an external surface radiation level of not more than 0.005 mSv/hr (0.5 mrem/hr), 2) bear a marking with the word "Radioactive" on or inside the package, 3) be marked with the UN identification number, and 4) be sheathed around the depleted uranium component; or

b. 49 CFR §§ 172.203(d)(3); 172.203(d)(5); 172.300(a); 172.301(d); 172.310(a); 172.310(b); 172.310(c); 172.403(a); 172.403(b); 172.403(c); 172.403(f); 172.403(g)(2); 172.403(g)(3); and 172.406(e) in that individual packages and freight containers containing munitions packaged as prescribed by this special permit and transported with the subsidiary hazard of "Radioactive material, low specific activity material (LSA-I)" are not required to be marked and labeled, unless shipped individually. Under the provisions of this special permit, each unitized/palletized group of packages must bear at least one label. The activity and transport index quantities entered on the label and shipping document may be either actual quantities or, as long as there is only one type of munition on the pallet, then greater than actual quantities may be entered. Activity and transport index quantities greater than actual entered on the label and shipping document must be representative of no more than a full unitized/palletized group of packages.

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Under the provisions of this special permit, each unitized/palletized group of packages must bear at least one set of required consignor or consignee name and address, gross mass marking. No package type (TYPE IP-1) or country of origin code (USA) marking is required.

5. BASIS: This special permit is based on the appeal of the U.S. Department of Defense dated May 11, 2006 submitted in accordance with § 107.125
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|---|------------------------------|------------------------------|----------------------|
| Proper Shipping Name | Hazard Class/Division | Identification Number | Packing Group |
| Cartridges for weapons, inert projectile | 1.2C | UN0328 | II |
| Cartridges for weapons, inert projectile | 1.3C | UN0417 | II |
| Cartridges for weapons, inert projectile | 1.4C | UN0339 | II |
| Cartridges for weapons, <i>with bursting charge</i> | 1.2E | UN0321 | II |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings must comply with 49 CFR 173.24 and the applicable general packaging requirements for explosives prescribed in 49 CFR 173.60. Packagings must meet or exceed IP - 1 requirements and satisfy the design requirements of 49 CFR 173.410.

b. OPERATIONAL CONTROLS -

1. For packages shipped under paragraph 4.a. of this special permit, the maximum radiation level on any external surface of the package, overpack or unitized/palletized group of packages must not exceed 0.025 mSv/hr (2.5 mrem/hr).

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2. For packages shipped under paragraph 4.b. of this special permit, the maximum radiation level on any external surface of the package, overpack or unitized/palletized group of packages must not exceed 0.030 mSv/hr (3.0 mrem/hr).

3. Security measures for transport must be implemented in accordance with Department of Defense Regulation 4500.9R, Part II.

c. HAZARD COMMUNICATION -

1. For packages shipped under paragraph 4.b. of this special permit, each unitized/palletized group of packages of munitions must bear at least one radioactive material label which has been selected based on the surface radiation level and transport index of the pallet. Individual packages do not require labeling, unless shipped individually.

2. For packages shipped under paragraph 4.b. of this special permit, the activity and transport index quantities entered on the label and shipping document may be either actual quantities or, as long as there is only one type of munition on the pallet, then greater than actual quantities may be entered. Activity and transport index quantities greater than actual entered on the label and shipping document must be representative of no more than a full unitized/palletized group of packages.

3. For packages shipped under paragraph 4.b. of this special permit, each unitized/palletized group of packages must bear at least one set of required consignor or consignee name and address, gross mass markings. No package type (TYPE IP-1) or country of origin code (USA) marking is required.

4. No placarding for the radioactive hazard is required.

8. SPECIAL PROVISIONS:

a. The product description on the shipping document for each consignment transported using paragraph 4.a of this special permit must include a statement that the consignment contains depleted uranium metal, the special permit number, and the identity and phone number of a Department of Defense authority familiar with the explosive and radiological hazards of the product.

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- b. The product description on the shipping document for each consignment transported using paragraph 4.b of this special permit must include a statement that the consignment contains Radioactive material, low specific activity (LSA-1) depleted uranium metal, the special permit number, and the identity and phone number of a Department of Defense authority familiar with the explosive and radiological hazards of the product.
- c. Each package or unitized/palletized group of packages must be conspicuously marked "DOT-SP 9649" with figures at least 1" (2.5 cm) high.
- d. The authorization provided by this special permit is limited to shipments by or for the U.S. Department of Defense. Persons offering hazardous materials under this special permit must have party status to this special permit in accordance with § 107.107.
- e. Guidelines for Emergency Response personnel must be incorporated into shipping document when paragraph 4.b of this special permit is utilized, indicating the appropriate instructions to follow from the Department of Transportation Emergency Response Guide Numbers 112 and 114.
- f. Each person offering shipments under this special permit must provide a current copy of the special permit to the carrier as part of any required shipping documents.
- g. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
- h. Packagings permanently marked "DOT-E 9649", may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packagings marked after May 1, 2010 must be marked "DOT-SP 9649".
- i. Shipping documents displaying "DOT-E 9649" may continue to be used until May 1, 2010, provided the special permit remains valid.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or motor vehicle 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 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.