

RSPA-97-3170-2

MODAL EVALUATION FORM FOR EMERGENCY EXEMPTION REQUEST

- I. Mode: Water (Cargo Vessel)
- II. Date received: October 24,1997 (at G-MSO-3)
- III. Carrier identification (if known): Water mode only:
Department of Defense, Washington, DC

DEPARTMENT OF TRANSPORTATION
 97 DEC 12 PM 4: 28
 DOCKET SECTION

IV. Applicant:

Department of Defense by Headquarters, Military Traffic Management Command
Department of the Army, 5611 Columbia Pike; Falls Church, VA 22041-5050

- V. Date of Application: October 24, 1997



VI. Summary of what applicant is requesting:

This emergency exemption application requests authorization for the stowage of certain Division 1.1, 1.2 and 1.4 explosives, in the same freight container with Compressed Helium, a division 2.2 material on board vessels of the United States Air Force's Afloat Prepositioned Fleet (APF). The hazardous materials are separately packaged component items which, when assembled, comprise "complete rounds" of guided bombs (GBU) model GBU-24 (utilizing the MK-84 or BLU-109 2,000 pound bomb or model GBU-27 utilizing the MK-84 2,000 pound bomb). This exemption also seeks relief from the requirement to placard the freight containers with the placard for division 2.2, and therefore placard the container only for Class 1 material.

- VII. Regulations exempted from: 49 CFR 172.504, 176.83(a), (d) and (f).

VIII. Basis of request:

- a. Protection of Life or Property: yes ___ no XX

1. Justified?: yes ___ no ___

2. Explanation: N/A

- b. Economic Loss Expected: yes ___ no XX

1. Justified?: yes ___ no ___

2. Explanation: N/A.

- c. Immediate national security purposes: yes XX no ___

3. Freight containers subject to the provisions of this exemption need not be placarded with the non-flammable gas placard. Since stowage within the same freight container of Class 1 materials and Division 2.2 material will be authorized by this exemption, the additional placard for Division 2.2 is not necessary and may confuse segregation of these containers relative to containers with other Class 1 material.

X. Modal Recommendation

✓ Grant XX* or Deny.

*This recommendation is contingent on the following issue being resolved. In evaluating the exemption, it was noted that the component item which contains the compressed helium (guidance control unit WGU-39) includes a not-DOT specification cylinder. MTMC provided a CAA (attached) which purportedly covered the cylinder type. However, the information in that CAA is not consistent with the cylinder information provided with the exemption. Different drawings were referenced and there was considerable difference in the MAWP among other things. We have advised MTMC that we are providing our recommendation for granting the exemption contingent on resolving this issue and that they should work directly with your office on that matter.

Rationale for granting:

1. Stowage Within Same Freight Container: Based on specific mission needs of the Air Force and considering the individual packaging provided, the detailed blocking and bracing per the USADACS approved drawing, and the other safety features inherent in the component items, granting of this exemption is recommended. In addition, it is noted that this segregation issue is the result of transporting the guided bombs as unassembled components. Had the guided bombs been proposed for transport as complete rounds, isolation or segregation between materials of different hazmat classes would have been dealt with as part of the approval of the article overall. There are numerous articles of this type having constituent substances, which, if considered separately, would normally have to be segregated.
2. Exemption from requirement to placard for division 2.2: Since stowage within the same freight container of Class 1 materials and Division 2.2 material will be authorized by this exemption, the additional placard for Division 2.2 is not considered necessary and may complicate other segregation issues. In particular, including the division 2.2 placard could lead to confusion with respect to determining segregation of these containers relative to containers with other Class 1 material. Such segregation is not considered necessary. Also, it is noted that for rail and highway shipments, the quantity of helium included would not necessitate placarding.

Attach original emergency exemption application to this form and forward to Exemptions Branch, OHMEA as quickly as possible.



(Signature and Title)

10/26/97

(Date)
