

South Carolina Department of Labor, Licensing and Regulation
Division of Labor
Office of Occupational Safety and Health
Columbia, South Carolina 29211

OSH Program Directive Number 94-1910.109-3 (Revised)

Subject: Acceptance of U.S. Department of Transportation (DOT) Exemption DOT-E 8845 of the Pengo DID Select Fire Perforating System.

Standard: Subarticle 6, § 1910.109 (b) (1), Rules and Regulations, Commissioner of Labor, State of South Carolina.

Cross Reference to Federal Standards: 29 CFR 1910.109 (b) (1)

Cancellation: Existing Program Directive Number 86-1910.109-3, dated March 6, 1987, is cancelled.

Background: This directive shall permit the transportation of specially designed and equipped select fire oil-well perforating guns with detonators affixed under certain conditions.

- a. The U. S. Department of Transportation (DOT) has granted Exemption DOT-E 8845 to the Pengo Industries, Inc., Fort Worth, Texas to transport from the gun assembly site (wireline shop) to the jobsite, specially designed and equipped select fire oil-well perforating guns with detonators affixed. They believe that the hazard in transporting the particular assembled gun over the highway has been eliminated. Other companies have received part status to the exemption.
- b. OSHA concurs with DOT on the highway transportation from the assembly shop to the jobsite and allows further transportation on the jobsite directly to the oil well site, under certain conditions, as cited in the Guidelines section below. Pengo also provides to its customers procedures for the safe handling and use of the select fire guns.

GUIDELINES: This directive is based upon the need to resolve the potential inconsistency in applying OSHA standard 1910.109 (b) (1) and a DOT exemption which permits under certain specified conditions the transportation of Pengo charged oil-well guns with detonators attached. Under Subarticle 6, § 1910.109 (d) (1) (iv), OSHA requires that detonators and explosives be transported separately over the highways. While this standard only covers public

highways regulated by DOT, OSHA believes transport of these devices in many off-highway situations may violate § 1910.109 (b) (1). However, OSHA has determined that it is a de minimis violation of 1910.109 (b) (1) to transport directly to the oil well site charged oil-well guns with detonators attached, if the gun is covered by DOT Exemption DOT-E 8845 and the Detonation Interruption Device (DID) is in place between each detonator and the primacord leading to the individual jet perforator. It is thus permissible to use the DOT Exemption DOT-E 8845 in the transportation of charged oil-well guns with detonators attached. The provisions of the Dot exemption include:

- a. The charged oil-well guns classified by DOT as Division 1.1 or Division 1.4 based on UN classification and effective in October 1, 1992 (prior to January 1, 1991, classified as Class A and Class C explosive).
- b. Transportation must be by motor vehicle or cargo vessel and only by private carriers engaged in oil well operations.
- c. Transportation is authorized only from the gun assembly site (wireline shop) to the jobsite.
- d. Vehicle operator must be instructed as to the necessary safeguards and proper procedures in the event of an unusual delay, fire or accident.
- e. A copy of the Exemption DOT-E 8845 must be carried aboard each motor vehicle and vessel used to transport packages covered by this exemption, attesting that the wireline operator has been granted the Exemption DOT-E 8845 certificate.
- f. Authorization (DOT-E 8845 (PTE)) forms a part of Exemption DOT-E 8845 and must be attached to it. In cases where an extension has been granted, DOT-E 8845 (Extension), it must also be attached to Exemption (DOT-E 8845), in order for the Exemption to be acceptable to OSHA. These attachments include expiration dates of the exemption for the party(ies) listed as Exemption Holders.

Effective Date: This directive is effective upon receipt and will remain in effect until cancelled or superseded by amendment to the Rules and Regulations.

William M. Lybrand, Administrator
September 9, 1994