

December 12, 2011



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 14691  
(FOURTH REVISION)

**EXPIRATION DATE: September 30, 2015**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: FedEx Express  
Memphis, TN
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the return shipment by motor vehicle of hazardous materials that have been accepted by FedEx Express, transported, and subsequently determined to be non-compliant with the Hazardous Materials Regulation's shipping paper, marking or labeling requirements. 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 the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
  - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.202 and 172.203(c), (k) and (m) in that an incorrect shipping paper may be identified on an addendum, §§ 172.301 and 172.400 in that either proper marks or labels are required but not both, and § 172.301(c) in that the special permit number need not be marked on the package.

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5. BASIS: This special permit is based on the application of FedEx Express dated June 1, 2010 submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Hazardous materials authorized for air transportation under the HMR	Various	Various	Various

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - Packaging must be authorized by the HMR.
- b. OPERATIONAL CONTROLS -

(1) Each shipment made under this special permit must be accompanied by an checklist which-

(i) Identifies any areas of non-compliance such as shipping papers, markings, and labels; and

(ii) Has the special permit number "DOT-SP 14691" noted on it and references the original shipping paper.

(2) Transportation is only authorized in FedEx Express vehicles from the point of discovery back to the offeror.

(3) Transportation by FedEx Express is authorized only up to 150 miles from the point of discovery.

(4) Each package must have at least a proper marking or a proper label to be transported under the terms of this special permit. An undeclared package (i.e., a package with no marks or labels) may not be transported under the terms of this special permit.

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8. SPECIAL PROVISIONS:

a. A material meeting the definition of a material poisonous by inhalation (see 49 CFR § 173.132(a)(1)(ii)) may not be transported under the terms of this special permit.

b. FedEx Express must develop and implement a quality assurance program for customers who offer packages of hazardous materials incorrectly to ensure corrective actions are taken.

c. FedEx Express must develop and implement a quality assurance program for drivers who accept packages of hazardous materials incorrectly to ensure corrective actions are taken.

d. FedEx Express must utilize a driver reminder card (on file with the Office of Hazardous Materials Special Permits and Approvals) to assist employees that receive hazardous materials packages for initial receipt for transportation.

e. This special permit does not relieve FedEx Express from carrier responsibility.

f. A current copy of this special permit must be maintained at each facility where this special permit is utilized.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.

10. MODAL REQUIREMENTS: A current copy of this special permit and the addendum identifying errors must be carried on board each motor vehicle used to transport the hazardous materials 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.

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- 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 Dr. Magdy El-Sibaie  
Associate Administrator for Hazardous Materials Safety

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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](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: MN