U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

DOT-E 12121
(FIRST REVISION)

NOV 22 2000

EXPIRATION DATE: October 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Deutsche Lufthansa AG and Lufthansa Cargo AG
Flughafen, Germany
(U.S. Agent: Lufthansa German Airlines
East Meadow, NY)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain Division 2.2 materials in an inaccessible cargo compartment aboard an aircraft in quantities exceeding those authorized by § 175.75(a)(2)(i) subject to the conditions and limitations provided herein. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 175.75(a)(2)(i) in that the quantity of hazardous material, as specified in paragraph 6, allowed to be loaded in an inaccessible compartment aboard a passenger-carrying aircraft may exceed 25 kg (55 pounds).

5. BASIS: This exemption is based on the application of Lufthansa Cargo AG's application dated October 31, 2000, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Articles, pressurized pneumatic or Hydraulic	2.2	UN 3164	N/A

7. SAFETY CONTROL MEASURES:

PACKAGING - The packaging authorized must comply with the requirements of Packing Instruction 208 in ICAO Technical Instructions for shipment of articles described by drawings 028-6001 and 017-6014, attached in the letter dated November 6, 1998.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

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

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo aircraft, and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each aircraft used to transport packages covered by this exemption. The shipper must furnish a current copy of this exemption to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

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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 exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

NOV 22 2000

Robert A. McGuire
For Associate Administrator for
Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Record Center, 202-366-5046.

PO: KFW/sln