

April 20, 2010



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 14902
(FIRST REVISION)

EXPIRATION DATE: March 31, 2012

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Federal Aviation Administration
Washington, DC
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of decoy packages identified as hazardous material which are actually non-hazardous for purposes of shipping and packaging drills conducted by FAA for air carriers. 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 § 171.2(k) in that a package may not be identified as a hazardous material if the hazardous material is not present, except as provided herein and §§ 172.203(a) and 172.301(c) in that the marking requirements are waived.

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5. BASIS: This special permit is based on the application of Federal Aviation Administration dated August 31, 2009 submitted in accordance with § 107.105 and the public proceeding thereon, and additional information of March 31, 2010.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Various	Hazard Classes Identified in Table 2 § 172.504	Various	II and III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a UN 4G combination packaging.

b. OPERATIONAL CONTROLS - A statement that the materials contained within are not hazardous materials along with a current copy of this special permit must be placed between the inner packaging and the outer packaging so as to be readily visible when the package is opened.

c. Each outer packaging must be marked with the phone number of a representative of the FAA familiar with the terms of this special permit and able to provide appropriate information to Federal, state or local officials. The FAA representative must also be available by phone at all times while the package is in transportation.

d. Emergency response guidance documents and emergency procedures should not be negatively impacted by FAA's actions under this authority.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

b. FAA must develop and implement a comprehensive protocol that identifies the specific procedures and controls used to offer a decoy package for air transportation. A copy of generic protocols must be provided to the Pipeline and Hazardous Materials Safety Administration (PHMSA) prior to the first shipment under the terms of this special permit.

c. FAA must brief PHMSA on the activities conducted under terms of this Special Permit on an annual basis.

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

10. MODAL REQUIREMENTS: None.

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.

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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.:



Dr. Magdy El-Sibaie

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.

PO: LAVALLE/BILLINGS