

September 6, 2012



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 15710

EXPIRATION DATE: January 1, 2013

1. GRANTEE: USA Jet Airlines, Inc.
Belleville, MI
Certificate # Y2PA154Y
2. PURPOSE AND LIMITATION:
 - a. This emergency special permit authorizes the transportation in commerce of a Duracell 600HD Portable Power Source, containing a non-spillable battery, by passenger aircraft. 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 development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with 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 § 175.75(b) in that no person may carry a hazardous material in the cabin of a passenger-carrying aircraft, except as provided herein and § 172.301(c) in that the marking requirement is waived.

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5. BASIS: This emergency special permit is based on the application of USA Jet Airlines, Inc., dated September 3, 2012, submitted in accordance with § 107.117 and a determination that it is necessary for immediate national security.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Batteries, wet, non-spillable, <i>electric storage</i>	8	UN2800	III

7. a. SAFETY CONTROL MEASURES: The Duracell Powerpack 600HD has an internal sealed, non-spillable 28 amp-hour AGM (Absorbed Glass Mat) battery for power delivery and recharging capability. This heavy duty power source operates multiple 120-volt AC power applications and 12-volt DC applications (charging portable electronics devices).
- b. PACKAGING - The Duracell Powerpack 600HD is powered by a sealed, non-spillable 28 Ah battery. The battery is contained in this device.
- c. OPERATIONAL CONTROLS -
1. These devices each containing a non-spillable battery may only be utilized on USA Jet Airlines.
 2. These devices may not be utilized aboard aircraft unless they are attended by a passenger, or air carrier personnel, while in operation.
 3. A verification that all devices are powered off must be performed by a USA Jet designee prior to leaving the aircraft unattended.
 4. The Pilot-in-Command must be notified of the number of devices carried on each passenger-carrying charter aircraft prior to departure.

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5. The devices may not be carried in checked baggage or as cargo without full compliance with the Hazardous Material Regulations.

6. This special permit does not supersede or provide any relief of FAA requirements under 14 CFR.

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 modifications or changes are made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

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

c. MARKING - The marking requirement in § 172.301(c) is waived.

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

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit 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 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.

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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.:



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.

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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

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