



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

November 20, 2023

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 15811
(THIRD REVISION)

EXPIRATION DATE: 2027-10-31

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Bluesky Helicopters, Inc.
La Verne, CA
FAA Certificate Number 2BHL352N
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain hazardous materials by 14 CFR Part 133 Rotorcraft External Load Operations, transporting hazardous materials attached to or suspended from an aircraft, in remote areas of the US only, without being subject to hazard communication requirements, quantity limitations and certain loading and stowage 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.
 - d. This Special Permit does not grant the authority to use foreign controlled airspace or airports outside the United States.
 - e. This Special Permit does not waive any FAA airworthiness requirements or the need to obtain other required FAA authorizations.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

Tracking Number: 2023084812

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Table § 172.101, Column (9B) in the materials are forbidden for air transportation by cargo air or they exceed the quantity limitations, § 172.204(c)(3), § 173.27(b)(2) and § 175.30(a)(1) in that the explosives are forbidden by cargo aircraft, §§ 172.200, 172.300 and 172.400 in that shipping papers, marking and labeling are waived, § 173.27 general requirements by air § 175.33 shipping paper and pilot notification are all waived, Part 178 in that certain packaging requirements are waived, and § 175.75 in that alternative stowage is authorized.
5. BASIS: This special permit is based on the renewal application of Bluesky Helicopters, Inc. dated August 15, 2023, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Acetylene, dissolved	2.1	UN1001	N/A
Aerosols, flammable, (each not exceeding 1 L capacity)	2.1	UN1950	N/A
Air, compressed	2.2	UN1002	N/A
Amines, solid, corrosive, n.o.s. <i>or</i> Polyamines, solid, corrosive n.o.s.	8	UN3259	I, II, III
Batteries, wet, filled with acid, electric storage	8	UN2794	N/A
Batteries, wet, filled with alkali, electric storage	8	UN2795	N/A
Boosters, without detonator	1.1D	UN0042	N/A
Carbon dioxide, solid <i>or</i> Dry ice	9	UN1845	III
Diesel fuel	3	NA1993	III
Engines, internal combustion, flammable gas powered	2.1	UN3529	N/A
Engines, internal combustion, flammable liquid	3	UN3528	N/A

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
powered			
Explosive, blasting, type A	1.1D	UN0081	N/A
Flammable liquids, n.o.s.	3	UN1993	I, II, III
Fuel, aviation, turbine engine	3	UN1863	I, II, III
<i>Gasoline includes gasoline mixed with ethyl alcohol, with not more than 10% alcohol</i>	3	UN1203	II
Kerosene	3	UN1223	III
Lighters <i>containing flammable gas</i>	2.1	UN1057	N/A
Lighter refills <i>containing flammable gas not exceeding 4 fluid ounces (7.22 cubic inches) and 65 grams of flammable gas</i>	2.1	UN1057	N/A
Lithium ion batteries	9	UN3480	N/A
Lithium ion batteries packed with equipment	9	UN3481	N/A
Lithium ion batteries contained in equipment	9	UN3481	N/A
Lithium metal batteries	9	UN3090	N/A
Lithium metal batteries packed with equipment	9	UN3091	N/A
Lithium metal batteries contained in equipment	9	UN3091	N/A
Nitrogen, compressed	2.2	UN1066	N/A
Oxygen, compressed	2.2	UN1072	N/A
<i>Paint including paint, lacquer, enamel, stain, shellac solutions, varnish, polish, liquid filler and liquid lacquer base</i>	3	UN1263	I, II, III

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Paint <i>or</i> paint related material	8	UN3066	II, III
Propane <i>see also</i> Petroleum gases, liquefied	2.1	UN1978	N/A
Rags, oily	4.2	UN1856	III

7. SAFETY CONTROL MEASURES FOR MATERIALS OTHER THAN CLASS 1:

- a. PACKAGING: Prescribed packaging is the manufacturer's original packaging or a packaging of equal or greater strength and integrity. Compatibility and effectiveness of all packaging must, at a minimum, meet the requirements of 49 CFR 173.24.
- b. Aerosols: All aerosols and compressed gases must be secured in an upright position with protective caps and/or covers installed to prevent any unintentional discharge.
- c. Batteries (Other than Lithium batteries): All batteries packed in equipment must be packed in a manner that prevents accidental activation or dangerous evolution of heat. Spare Batteries or batteries pack with equipment must have their terminals insulated or protected to prevent short circuits and prevent a dangerous evolution of heat.
- d. Lithium batteries: All lithium batteries packed with equipment, or contained in equipment, must be packed in such a manner as to prevent short circuits, including movement that could lead to short circuits. They must be equipped with an effective means to prevent dangerous reverse current flow (e.g., diodes, fuses, etc.) if a battery contains cells or series of cells that are connected in parallel. Lithium batteries must remain installed in electronic devices. Spare batteries must be separated from other metallic objects by being packed in a sturdy plastic bag. Battery powered equipment must be packaged in a manner that prevents accidental activation. Additionally, they must be of a type proven to meet the requirements of each test in the UN Manual of Tests and Criteria (IBR; see 49 CFR 171.7).
- e. Equipment: Liquid fueled or gasoline powered equipment may be filled to not more than 80% of their capacity to allow for expansion due to altitude changes.

f. Compressed Gas: Compressed Gas (Propane etc.) must be transported in serviceable DOT approved cylinders. The cylinders must be secured in such a manner that prevents the cylinder from movement during transportation. The cylinder neck/valve shall be protected by the use of safety caps or collars. At no time shall the safety caps or collars be used as a lifting point. The cylinder must be inspected for leakage, corrosion, denting, bulging, gouging and fire damage. Inspection of valve, valve protection and around and inside the footring for corrosion and foreign materials must be conducted. If a cylinder fails any part of the visual inspection it may not be transported until repaired or replaced.

g. Dry Ice: Carbon dioxide, solid (dry ice), must be packed in packaging designed and constructed to permit the release of carbon dioxide gas to prevent a buildup of pressure that could rupture the packaging.

h. Spontaneously Combustible Materials: Division 4.2 materials must be transported in sealed containers to prevent any spontaneous combustion.

i. Compatibility of cargo: Hazardous material that might react dangerously with one another may not be placed next to each other or in a position that would allow a dangerous interaction in the event of leakage. Segregation Table in § 175.78 shall be used.

8. SAFETY CONTROL MEASURES FOR CLASS 1:

a. PACKAGING: As prescribed in § 173.62 (or equivalent) explosives shall be further packaged in a type 3 magazine and transported as a Class B external load. In accordance with ATF publication 5400.7 § 555.209, a type 3 magazine is a “day-box” or other portable magazine.

b. Authorized explosives: Explosives that are Forbidden in § 172.101 Column 9(a) or 9(b), may be accepted and transported in cargo aircraft only subject to the conditions stated herein.

c. Maximum weight: Not more than 1,000 pounds total net weight of explosives may be carried in, on, or suspended from the aircraft.

d. Whenever explosives are on board the aircraft, no person on the aircraft may smoke, or carry a lighted cigarette, cigar, or pipe, or operate any device capable of causing an open flame or spark.

e. Advance Notice of FAA Office of Hazardous Materials Safety: The operator of the aircraft must notify the FAA Office of Hazardous Materials Safety (9-AWA-AXH-SPFlightNotifications@faa.gov). This notification must be given at least 72 hours in advance of plans to operate under the provisions of the granted special permit, unless prior arrangements have been made with the FAA's Office of Hazardous Materials Safety. The notification must include the point of departure, scheduled intermediate stops, destinations, loading, and departure schedule. If a flight schedule is cancelled or deviates more than four hours from the originally scheduled departure time, the operator of the aircraft must immediately notify 9-AWA-AXH-SPFlightNotifications@faa.gov. Alternative notification procedures may be established via a written request of modification to this granted special permit.

f. Advance permission from airport: If an airport is used, the operator of the aircraft must have advance permission from the owner or operator of each manned airport where the material is to be loaded or unloaded or where aircraft is to land while the materials are on board. When the destination is changed after departure because of weather or other unforeseen circumstances, permission from the owner or operator of the alternate airport must be obtained as soon as practicable.

g. Flight plan: The operator of the aircraft must include the following information in the "Remarks" section of each flight plan when the provisions of this special permit are exercised:

- (1) The classification of each hazardous material aboard, attached to or suspended from the aircraft.
- (2) The net weight of each class of hazardous material aboard the aircraft.
- (3) This requirement does not apply to operations where a flight plan cannot be filed (e.g. operating in remote areas or uncontrolled airspace).

h. Loading and unloading: Loading and unloading operations under this special permit must comply with the following:

- (1) During loading or unloading, no person may smoke or carry a lighted cigarette, cigar or pipe, or operate any device capable of causing an open flame or spark within 50 feet of the hazardous material on or off the aircraft.
- (2) No fueling operations of the aircraft may be conducted during loading and unloading of the explosives. Whenever possible fueling operations shall be conducted without hazardous materials attached to the aircraft and located at a safe distance from any hazardous materials.

i. Security Plan: A copy of the required security plan must be made available to any DOT inspector upon request.

j. Records: The aircraft operator must maintain daily records during which explosives are carried. This record must be made available at its principal business office to representatives of the Federal Aviation Administration and submitted to the Associate Administrator for Hazardous Materials Safety (AAHMS) upon request. The record shall include:

- (1) Geographic location of flight operations.
- (2) Shipping name and class of explosive(s).
- (3) Net weight of explosive(s) moved.
- (4) Registration number of the aircraft(s) used.

These records shall be maintained for a minimum of 1 year.

k. Attendance of explosives: Division 1.1 explosives must be attended at all times when they are in the possession of the operator unless placed in an explosive storage magazine that is approved by the Federal, State or local authority or at a location on a military installation designated by appropriate military authorities. All persons accompanying Class 1 explosives must be BATF Licensed Employees.

9. MODES OF TRANSPORTATION AUTHORIZED: Rotorcraft External Load Operations.

10. OPERATIONAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport materials covered by this special permit.

a. Authorized aircraft: Aircraft used under this special permit must be authorized as part of an FAA part 133 Operating Certificate.

b. Operations manual: FAA part 133 operations must be conducted in accordance with conditions and limitations specified in the certificate holder's FAA-approved Rotorcraft Load Combination Flight Manual (RLCFM) and Hazardous Material Safety Mitigation Plan.

c. Authorized persons aboard aircraft: No person may be carried on the aircraft other than as authorized by 14 CFR 133.35. Training or qualification of a new crewmember will not take place during the execution of 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.
- 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 William Schoonover
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-13, 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 <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

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