

January 09, 2020



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 16145
(THIRD REVISION)

EXPIRATION DATE: 2023-11-30

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Bering Air Inc.
Nome, AK
Part 135 #: FXTA050A; Part 133 #: FXTL050A
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain Class 3 liquids in alternative packaging having a capacity of 119 gallons or more by cargo aircraft, including 14 CFR Part 133 Rotorcraft External Load Operations, in remote areas of the US only, without being subject to shipping papers or quantity limitations. 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. This special permit authorizes transportation of the materials listed in paragraph 6 (below) in aircraft of United States registry. It does not grant authority to use foreign controlled airspace or airports outside the United States.
 - d. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Hazardous Materials Table Column (9B) in that the maximum gross weight is exceeded, §§ 172.200 and 172.300 in that shipping papers and certain markings are waived, and §§ 173.241, 173.242, § 175.310(c) in that alternative packaging is authorized.
5. BASIS: This special permit is based on the application of Bering Air Inc. dated November 14, 2019, 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
Diesel fuel	3	NA1993	III
Fuel, aviation, turbine engine	3	UN1863	III
Gasoline	3	UN1203	II

7. SAFETY CONTROL MEASURES:
- a. PACKAGING: Packaging prescribed is a non-DOT specification bladder type fuel tank designed, constructed, and tested to U.S. MIL. SPEC. MIL-T-52983G.
- b. OPERATIONAL CONTROLS:
- (1) Transportation aboard cargo-only aircraft is only authorized where other means of transportation are impracticable.
- (2) Transportation is only authorized in remote areas of the US.
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

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change is 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. (Operator is both shipper and air operator.)
 - c. Each bladder must be plainly and durably marked "DOT-SP 16145" as specified in §§ 172.302(b) and 172.302(c).
 - d. The requirements for shipping papers are waived.
 - e. Each outer packaging must be labeled for the hazardous materials contained within.
 - f. Materials transported by external load must comply with the safety controls specified in this section.
 - g. Alternative notification procedures for 49 CFR § 175.33, may be established subject to the written approval of the cognizant Regional Hazardous Materials Manager.
 - h. This special permit does not waive any FAA airworthiness requirements or the need to obtain other required FAA authorizations.
9. MODES OF TRANSPORTATION AUTHORIZED: Cargo-only aircraft and Rotorcraft External Load Operations.
10. MODAL 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 14 CFR Part 133 or Part 135 Operating Certificate.
 - b. Operations manual. FAA 14 CFR 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.

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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

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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-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: NICKS