

December 03, 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 16146
(THIRD REVISION)

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: See individual authorization letter
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the offering for transportation in commerce of certain Division 1.1, 1.2, 1.3, and 1.4 explosives that are forbidden for transportation by cargo aircraft. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) 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. Unless otherwise stated herein, this special permit consists of the special permit authorized letter issued to the grantee together with this document.
 - d. This special permit serves as an "exemption" as defined in 1;3.1.1 of the ICAO TI and as a "Competent Authority Approval" as defined under 49 CFR § 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180 and the ICAO TI.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 171.22(e), 172.101 Hazardous Materials Table Column (9B), and ICAO TI Part 3, Chapter 2, Table 3-1 Dangerous Goods List Columns 12

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and 13 in that the explosives are forbidden for transportation by cargo aircraft, except as specified herein.

5. BASIS: This special permit is based on the application of U.S. Department of Defense (DOD) dated October 29, 2020 submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous Materials Description | | | |
|---------------------------------|---------------------------------|-----------------------|---------------|
| Proper Shipping Name | Hazard Class/ Division | Identification Number | Packing Group |
| Various* | 1.1, 1.2, 1.3, and 1.4 | Various | N/A |

* Requires EX classification as prescribed by § 173.56(b).

7. SAFETY CONTROL MEASURES

a. PACKAGING: Prescribed packaging must be as required by the EX classification approval associated with the specific explosive, or in accordance with AFMAN 24-604 IP/TM 38-250/NAVSUP PUB 505/MCO P4030.19I/DLAI 4145.3/PREPARING HAZARDOUS MATERIALS FOR MILITARY SHIPMENTS.

b. OPERATIONAL CONTROLS: Transportation is authorized only by military aircraft or by an air carrier that has a special permit authorizing the transportation of explosives that are forbidden or exceed quantities, as outlined in 49 CFR Parts 100-178, to be transported by cargo aircraft only.

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, the HMR, and the ICAO TI.

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- 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 requirements of §§ 172.301(c) and 172.302(c), as applicable, are waived.
9. MODES OF TRANSPORTATION AUTHORIZED: Cargo-only 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.

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

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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-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/TG