

October 21, 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 21099

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the use of the 2018 American Pyrotechnics Association (APA) Standard 87-1C: Standard for the Construction, Classification, Approval, and Transportation of Entertainment Industry and Technical (EI&T) Pyrotechnics for classification of pyrotechnic materials. 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. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.64 in that the 2018 APA Standard 87-1C, Standard for the Construction, Approval and Transportation of EI&T Pyrotechnics is not authorized.
5. BASIS: This special permit is based on the application of Stage FX, Inc. dated August 20, 2020 submitted in accordance with § 107.105 and the public proceeding thereon.

Tracking Number: 2020084815

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6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Articles, pyrotechnic for technical purposes	1.4G	UN0431	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING: As required by the Hazardous Materials Regulations for these devices.

b. OPERATIONAL CONTROLS:

(1) Devices must be manufactured in accordance with the 2018 revision of the APA Standard 87-1C, Standard for the Construction, Approval and Transportation of EI&T Pyrotechnics.

(2) This special permit does not waive any requirements for obtaining an EX classification approval for each device shipped under this special permit. The grantee, who must be the manufacturer of the device, must apply in accordance with the 2018 APA Standard 87-1C Appendix II and any additional requirements found in § 107.705.

(3) Transportation of a device is not authorized unless the grantee is notified in writing by the Associate Administrator that the device has been classed, approved, and assigned an EX number.

(4) The grantee must make available upon request a report of all applications for approval submitted in accordance with this special permit.

(5) Use of a Fireworks Certification Agency is not authorized under the terms of this special permit.

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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 or its contents 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. This special permit will terminate upon the effective date of HM-219C, Hazardous Materials: Adoption of Miscellaneous Petitions to Reduce Regulatory Burdens.

9. MODES OF TRANSPORTATION AUTHORIZED: As authorized by the HMR.

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.

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.

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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-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 <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.

PO: TG