



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

**May 18, 2023**

1200 New Jersey Avenue, SE  
Washington, DC 20590

DOT-SP 21209  
(FIRST REVISION)

RENEWAL, SEE 49 CFR § 107.109)

1. **GRANTEE:** (See individual authorization letter)

2. **PURPOSE AND LIMITATION:**

a. This special permit authorizes the transportation in commerce of ammonia, anhydrous (in non-DOT specification containers installed in spacecraft or components of spacecraft) and bromine trifluoride aboard cargo-only aircraft. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the 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 authorization 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.

4. **REGULATIONS FROM WHICH EXEMPTED:** 49 CFR § 172.101 Hazardous Materials Table Column (9B), § 173.27(b)(2), § 175.30(a)(1), and Columns 12 and 13 of Table 3-1 of the ICAO TI in that the hazardous materials are authorized to be transported aboard cargo aircraft as provided herein.

5. **BASIS:** This special permit is based on the application of Atlas Air, Inc. dated May 11, 2023, submitted in accordance with § 107.117 and the determination it is necessary to prevent significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identifi- cation Number</b>	<b>Packing Group</b>
Bromine trifluoride	5.1*	UN1746	I, Hazard Zone B
Ammonia, anhydrous	2.3	UN1005	N/A

\* In addition to the oxidizer label, Division 6.1 and Class 8 labels are required for this hazardous material.

7. SAFETY CONTROL MEASURES:a. PACKAGING:

- (1) For bromine trifluoride, packagings prescribed are as authorized in DOT-SP 14796.
- (2) For ammonia, anhydrous, packagings prescribed are non-DOT specification containers installed in spacecraft or components of spacecraft as authorized in DOT-SP 11818.

b. Any shipper who offers to an air carrier hazardous materials forbidden for air transportation requires their own special permit issued by the Competent Authority of the United States authorizing the offering of these hazardous materials in air commerce. The shipper must furnish a copy of their special permit to the air carrier before or at the time the shipment is tendered.

c. Authorized Aircraft: The aircraft must be owned and operated by the grantee and must be authorized by a FAA operations certificate.

d. Operations Manual: Operations must be conducted in accordance with the conditions and limitations specified in the certificate holder's operations manual accepted and approved by the FAA.

e. Authorized Persons Aboard Aircraft: No person other than a required flight crewmember, an FAA inspector, the shipper or consignee of the material or a representative of the shipper or consignee so designated in writing, or person necessary for handling the material may be carried on the aircraft.

f. Advanced Notice to 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](mailto:9-AWA-AXH-SPFlightNotifications@faa.gov)) and the assigned Principal Hazardous Materials Inspector (PHI). This notification must be given at least 72 hours in advance of plans to operate under the special permit, unless prior arrangements have been made with the FAA Office of Hazardous Materials Safety. The notification must include the point of departure, intermediate stops, destination(s), and a loading and departure schedule. If a flight schedule 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](mailto:9-AWA-AXH-SPFlightNotifications@faa.gov). Alternative notification procedures may be established subject to the written approval of the FAA Office of Hazardous Materials Safety.

g. Advance Permission from Airport: 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.

h. Flight Plan: This special permit does not waive any flight plan requirements inside or outside of United States airspace.

## 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. The cargo-only air operator must hold an authorization to transport the hazardous materials listed in paragraph 6. and must meet all conditions specified in paragraph 7.

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 does not grant the authority to use foreign controlled airspace or airports outside the United States.

d. This special permit does not waive any FAA airworthiness requirements or the need to obtain other required FAA authorizations.

e. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of the States of origin, transit, over flight, and destination of the consignment, as well as the State of the air operator.

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.
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.:



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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.

PO: TG/NICKS