



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

August 22, 2023

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21622

EXPIRATION DATE: 2024-12-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. **GRANTEE:** National Air Cargo Group, Inc.
Orlando, FL
2. **PURPOSE AND LIMITATIONS:**
 - a. This emergency special permit authorizes the transportation in commerce aboard cargo-only aircraft of articles containing toxic gas, n.o.s. (anhydrous ammonia) contained within a spacecraft (satellite). 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.
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), and § 175.30(a)(1) in that the hazardous materials may be transported aboard cargo-only aircraft as provided herein.
5. **BASIS:** This emergency special permit is based on the application of National Air Cargo Group, Inc. dated August 17, 2023, submitted in accordance with § 107.117 and the determination it is necessary to prevent significant economic loss.

Tracking Number: 2023085006

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Articles containing toxic gas, n.o.s. (anhydrous ammonia)*	2.3	UN3539	N/A

*Contained within a spacecraft (satellite).

7. SAFETY CONTROL MEASURES:

- a. PACKAGING: Packaging must comply with paragraph 7.a. of DOT-SP 20274.
- b. All requirements in the HMR apply, except as specified herein.
- c. Shipments transported under the terms of this special permit must be packaged and prepared by the shipper identified on the Dangerous Goods Declaration in the application submitted on August 17, 2023, and on file with the Office of Hazardous Materials Safety (OHMS).
- d. All packages must be blocked and braced to prevent movement.
- e. Alternative pilot-in-command notification procedures for 49 CFR 175.33, may be established subject to the written approval of the FAA headquarters.
- f. Transportation is only authorized from France to French Guiana.
- g. Transportation is not authorized after December 31, 2024.
- h. Authorized Aircraft. The aircraft to be used must be authorized by National Air Cargo Group, Inc. FAA operations certificate.
- i. 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.

- j. 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) and the Certificate Holder's designated Principal Hazardous Materials Safety 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. Alternative notification procedures may be established subject to the written approval of the FAA Office of Hazardous Materials Safety.
- k. Flight Plan. This special permit does not waive any flight plan requirements outside of U.S. airspace.
- l. A copy of the required security plan must be made available to any DOT inspector upon request.
- m. The safe operational weight limit of the aircraft may not be exceeded.
- n. The CMS transport container must be loaded in accordance with the technical specifications submitted on the August 18, 2023, and on file with the OHMS.
8. SPECIAL PROVISIONS:
- a. This special permit authorizes transportation of hazardous materials in aircraft of United States registry. It does not grant authority to use foreign controlled airspace or airports outside the United States.
- b. 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. A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit.

- b. Authorized aircraft: Aircraft used under this special permit must be authorized as part of an FAA 14 CFR Part 121 Operating Certificate.
 - c. Operations manual: FAA 14 CFR Part 121 operations must be conducted in accordance with conditions and limitations specified in the certificate holder's FAA-approved operations manual.
 - d. Authorized persons aboard aircraft: No person may be carried on the aircraft other than as authorized by 14 CFR Part 121.
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.:

A handwritten signature in blue ink, appearing to read "Dan By", is written over a faint circular stamp.

for William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials 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: NICKS