



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

September 25, 2023

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21646

EXPIRATION DATE: 2023-10-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Delta Air Lines, Inc.
Atlanta, GA
FAA Certificate Number: DALA026A (Part 121)
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the transportation in commerce of certain Division 2.2 materials that will be loaded within the passenger cabin of the aircraft in an alternative manner and will be discharged during transportation. 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.
 - d. This Special Permit does not grant the authority to use foreign-controlled airspace or airports outside the United States.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171- 180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.24(b)(1) in that the cylinders may be discharged during transportation; and § 175.75(b)(1) in that the hazardous material may be loaded in the cabin of the aircraft, as specified herein.
5. BASIS: This emergency special permit is based on the application of Delta Air Lines, Inc. dated September 22, 2023, submitted in accordance with § 107.117 and the determination it was necessary for immediate national security.

Tracking Number: 2023094923

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Compressed gas, n.o.s	2.2	UN1956	N/A
Lithium ion batteries contained in equipment	9	UN3481	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Prescribed packagings are DOT 3AL-2216 cylinders as required by the HMR.

b. OPERATIONAL CONTROLS:

(1) Transportation of up to 20 cylinders is authorized for one flight from Seattle, Washington (SEA) to Miami, Florida (MIA) and a return flight from MIA to SEA. Additional flights or deviation from this routing is not authorized.

(2) The cylinders with shipping caps must be secured inside the aircraft encased in foam and strapped to the seat vertically using ratchet straps connected to the seat frames.

(3) Discharge of the cylinders' contents is authorized during transportation.

(4) Approximately 35 air monitors containing lithium ion batteries may be transported and operated on the flight.

8. SPECIAL PROVISIONS: None.9. MODES OF TRANSPORTATION AUTHORIZED: Passenger-carrying aircraft that is owned and operated by Delta Air Lines, Inc., for use as a military contract charter flight.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.

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

b. Authorized persons aboard aircraft. No person other than a required flight crewmember, an FAA inspector, or persons necessary for handling the material and testing purposes may be carried on the aircraft.

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 "W. Schoonover", is written over a horizontal line.

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: Andrew Eckenrode