



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

June 03, 2025

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21964

EXPIRATION DATE: 2025-11-30

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Empire Airlines, Inc.
Hayden, ID
FAA Certificate Number: COEA135A (Part 135)
2. PURPOSE AND LIMITATION:
 - a. This emergency special permit authorizes relief from the air carrier quantity limitations and cargo location requirements under 49 CFR 175.75(c) and (d) for the transportation in commerce of hazardous 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 analysis 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 permit does not extend to or address any other applicable regulations.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 175.75(c) and (d), and § 175.501(a) in that the limits and location requirements do not apply when hazardous materials are transported in Cessna Model 408 SkyCourier all cargo aircraft, as specified herein.
5. BASIS: This emergency special permit is based on the application of Empire Airlines, Inc. dated February 26, 2025, submitted in accordance with §107.117 and the determination that it is necessary to prevent significant economic loss.

Tracking Number: 2025034433

6. HAZARDOUS MATERIALS (49 CFR 172.101): As authorized by the HMR for cargo-only aircraft, and as provided in the Empire Airlines, Inc. manual that aligns with the FedEx Corporation Dangerous Goods Manual, and as described in DOT-SP 21322.
7. SAFETY CONTROL MEASURES:
 - a. PACKAGING: As prescribed in the HMR.
 - b. OPERATIONAL CONTROLS:
 - (1) FAA Manual Requirements:
 - (i) The grantee must notify the assigned Principal Hazardous Materials Inspector (PHI) of any changes to applicable manuals related to this special permit prior to use of the modified manuals.
 - (ii) Operations must be conducted in accordance with conditions and limitations specified in the certificate holder's Federal Aviation Administration (FAA) approved/accepted manual(s).
 - (2) The grantee must certify they have received and reviewed a copy of DOT-SP 21322 and this special permit, DOT-SP 21964, and provide a statement they agree to and are prepared to operate under the terms specified in the special permit.
 - (3) Prior to each flight, the operating crewmember must be notified that hazardous materials (HM) subject to this special permit and DOT-SP 21322 will be transported on the aircraft.
 - (4) Prior to each flight that transports HM under the terms and conditions of this special permit and DOT-SP 21322, the grantee will ensure there is a visual inspection that reveals no obvious defects in the fire containment bag(s) and the rigid fire-retardant container that would reduce its effectiveness while transporting the HM.
 - (5) Authorized aircraft. The Cessna Model 408 SkyCourier all cargo aircraft authorized for use under DOT-SP 21322 and is operated by the grantee of this special permit.
8. SPECIAL PROVISIONS: The grantee will provide the PHI with a quarterly report prepared under the requirements of paragraph 7.b.(3) of DOT-SP 21322.

- a. Quarterly Reports are defined as follows: First Quarter is January 1st through March 31st; Second Quarter is April 1st through June 30th; Third Quarter is July 1st through September 30th; and Fourth Quarter is October 1st through December 31st.
 - b. Quarterly Reports must be submitted no later than thirty (30) days after the quarter ends.
 9. MODES OF TRANSPORTATION AUTHORIZED: Cargo-only aircraft.
 10. MODAL REQUIREMENTS: A current copy of DOT-SP 21322 and DOT-SP 21964 must be carried aboard the aircraft authorized in paragraph 7.b.(5) of 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.:

A handwritten signature in blue ink, appearing to read "W. Schoonover", is written over a light blue 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: Casey Chambers