



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

June 14, 2023

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 7648
(TWENTIETH REVISION)

EXPIRATION DATE:2027-05-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: American Aviation, Inc.
Salt Lake City, UT
FAA Certificate Number: 8USJWP19 (Part 91)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation of flares, aerial classed as Division 1.3G in a small cargo aircraft only, for test purposes under the conditions specified below. 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 development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. This special permit authorizes transportation of the materials listed in paragraph 6 (below) in aircraft of United States registry. It does not grant authority to use foreign controlled airspace or airports outside the United States.
 - d. Party status will not 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 §§ 172.200, 172.300(a), 172.400(a), and 173.62, in that shipping papers, marking, and labeling are waived, except as specified herein and alternative packaging is authorized.
5. BASIS: This special permit is based on the application of American Aviation, Inc. dated February 9, 2023, submitted in accordance with § 107.109.

Tracking Number: 2023024446

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Flares, aerial	1.3G	UN0093	N/A

7. SAFETY CONTROL MEASURES:

a. Prescribed packaging is an open Styrofoam case containing not more than two aerial flares. Not more than eight such cases must be loaded aboard the Navajo Chieftain PA-31, owned and operated by American Aviation, Inc. and certified by the Federal Aviation Administration (FAA) for Part 91 operations.

b. The cases must be loaded aboard the aircraft under the direction and control of safety personnel from the Northrop Grumman Corporation, Tactical Division (the flare manufacturer). Emergency equipment must be present. A member of the Northrop Grumman Corporation safety personnel must brief the pilot on the test to be performed and may accompany the flight and handle the flares during the testing. The grantee may use its own qualified personnel to handle the flares during testing. These qualified personnel must be trained by Northrop Grumman Corporation under a documented training program reviewed and accepted by the FAA.

c. The aircraft must follow the most direct route available over uninhabited areas from the Brigham City Municipal Airport (BMC), Michael AAF Airport (DPG) (Dugway Proving Ground), Wendover Airport (ENV), Bolinder Field – Tooele Valley Airport (TVY) or E Northrop Grumman Airport to the drop zone and return as soon as the testing of the flares (dispensed from the aircraft) is completed. The impact area must be under the control of Northrop Grumman Corporation and representatives of Northrop Grumman Corporation must be present.

d. The flare testing operation is conducted in a specially modified aircraft approved by the FAA. A copy of the FAA-approval must be made available to any DOT inspector upon request.

e. A copy of the required security plan must be made available to any DOT inspector upon request.

8. **SPECIAL PROVISION:** This special permit is to be used only when the grantee is assisting Northrop Grumman Corporation to fulfill a contractual requirement with the Department of Defense to test a certain number of aerial flares, manufactured for the Department of Defense by Northrop Grumman Corporation, and any contractual requirement involving a sale to a foreign government which has been granted an export license.
9. **MODES OF TRANSPORTATION AUTHORIZED:** 14 CFR Part 91 Operations as approved by the FAA.
10. **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). 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.
11. **MODAL REQUIREMENTS:** A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit.
12. **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 exemption 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 the 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.

13. **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-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