



U.S. Department  
of Transportation

1200 New Jersey Avenue SE  
Washington, DC 20590

**Pipeline and Hazardous  
Materials Safety  
Administration**

**OCT 31 2011**

Mr. Dave Bell  
Manager, Aircraft Ground Services  
Air Transport International, L.L.C.  
2 Air Cargo Parkway East  
Swanton, OH 43558

Reference No. 10-0245

Dear Mr. Bell:

This is in response to your e-mail to the Pipeline and Hazardous Materials Safety Administration's Hazardous Materials Information Center pertaining to special permits. In your e-mail, you ask whether § 172.203(a) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) requires the notation "DOT-SP 11110" to be placed on shipping papers accompanying packages offered for transportation under Special Permit Number DOT-SP 11110.

The answer is no. Under the HMR, a shipper is responsible for noting the special permit number on a shipping paper and package marking for a hazardous material authorized for transportation under the terms of a special permit (see §§ 171.1, 171.2, 171.3, 172.203(a) and 172.301(a)). DOT-SP 11110 is an operational special permit issued only to carriers that authorizes hazardous materials to be stowed in the manner specified in the special permit. Therefore, the shipper's responsibility to note the special permit number on the shipping paper and package marking does not apply.

I hope this satisfies your request.

Sincerely,

A handwritten signature in cursive script, appearing to read "T. Glenn Foster".

T. Glenn Foster  
Chief, Regulatory Review and Reinvention Branch  
Standards and Rulemaking Division

Edmonson  
§172.203  
Shipping Papers  
10-0245

**Drakeford, Carolyn (PHMSA)**

**From:** INFOCNTR (PHMSA)  
**Sent:** Monday, November 22, 2010 11:07 AM  
**To:** Drakeford, Carolyn (PHMSA)  
**Subject:** FW: Request for interpretation of 172.203(a)  
**Attachments:** Dave Bell.vcf; DOT-SP 11110.pdf

**Importance:** High

Hi Carolyn,

We received the following request for a formal letter of interpretation at the Info Center.

Thanks,

Victoria Lehman  
202-366-1035

**From:** Dave Bell [<mailto:Dave.Bell@airtransport.cc>]  
**Sent:** Monday, November 22, 2010 10:57 AM  
**To:** INFOCNTR (PHMSA)  
**Subject:** Request for interpretation of 172.203(a)  
**Importance:** High

Dear PHMSA,

My request for interpretation has to do with § 172.203(a) regarding the notation of a Special Permit on the shipping paper, specifically where it states "each shipping paper issued in connection with a shipment made under a special permit must bear the notation "DOT-SP" followed by the special permit number.....".

**§ 172.203 Additional description requirements.**

(a) *Special permits.* Except as provided in §173.23 of this subchapter, each shipping paper issued in connection with a shipment made under a special permit must bear the notation "DOT-SP" followed by the special permit number assigned and located so that the notation is clearly associated with the description to which the special permit applies. Each shipping paper issued in connection with a shipment made under an exemption or special permit issued prior to October 1, 2007, may bear the notation "DOT-E" followed by the number assigned and so located that the notation is clearly associated with the description to which it applies.

My question focuses on that part that states "in connection with a shipment made under a special permit..." Is the special permit number required on the shipping paper if the hazmat shipment is not specifically mentioned in the special permit? In other words, if the special permit does not have a specific connection with the shipment, but allows the special permit holder to use on a variety of shipments, is the special permit number required on the shipping paper?

For example, take the attached DOT-SP 11110 held by United Parcel Service Company (UPSCO). This special permit authorizes UPSCO to transport certain hazmat in an inaccessible location aboard an aircraft in quantities exceeding those authorized by § 175.75, however, you won't find "DOT-SP 11110" on the shipping paper for any of those hazardous materials because UPSCO's interpretation of § 172.203(a) is that their special permit was not made in connection for any *specific* shipment.

I would agree with their interpretation but wanted to make it official.

Thanks very much,

**Dave Bell**  
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