

November 20, 2007



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue, Southeast  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 12866  
(THIRD REVISION)

**EXPIRATION DATE: March 31, 2011**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Delta Air Lines  
Atlanta, Georgia
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of certain non-DOT specification cylinders, containing a Division 2.2 material, manufactured in accordance with DOT Specification 3HT that have been marked with a steel stamp other than the low stress stamp required by the Hazardous Materials Regulations (HMR). This special permit provides no relief from the HMR other than as specifically stated herein.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
  - c. Party status will not be granted to this special permits.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.301(c) in that each package is not required to be marked with the special permit number; and §§ 173.302a(a)(2) and 175.3 in that a non-DOT specification cylinder containing a compressed gas is not authorized except as specified herein.

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5. BASIS: This special permit is based on the application of Delta Air Lines dated August 8, 2007 submitted in accordance with § 107.109 and the public proceeding thereon.
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
Oxygen, compressed	2.2	UN1072	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are non-DOT specification cylinders stamped DOT-3HT, except that the cylinders have been marked with a steel stamp other than the low stress stamp required by §§ 180.213(c)(2) and 178.44(r).

b. TESTING - Each cylinder must be inspected and tested in accordance with § 180.209(a) for DOT 3HT specification cylinders. In addition, a magnetic particle examination of the high stressed stamp area must be performed at the time of each retest in accordance with the magnetic particle inspection program on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA).

c. OPERATIONAL CONTROLS -

(1) This special permit covers only cylinders identified as meeting the following:

<u>MANUFACTURERS PART NO.</u>	<u>DELTA PART NO.</u>
803300-33	526701150
801307-00	354701472
801307-22	359001020
801307-06	353701148
801307-04	353701138

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(2) The cylinders under this special permit are only authorized to supply emergency oxygen for the crew, and to activate aircraft doors in an emergency.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is tested. Additionally if the cylinders authorized by this special permit are transported by other than Delta Air Lines, a current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. The marking requirement of § 172.301(c) is waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, cargo aircraft only, and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: If the cylinders authorized by this special permit are transported by a carrier other than Delta Air Lines, a current copy of this special permit must be carried aboard each aircraft or motor vehicle used to transport packages covered by this special permit. Additionally, Delta Air Lines shall furnish a current copy of this special permit to the air carrier before or at the time the shipment is tendered.

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.

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- 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 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.

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.:



for Theodore L. Willke  
Associate Administrator for Hazardous Materials Safety

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm) Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: SStaniszewski/CHHochman/sln