

February 15, 2013



U.S. Department  
of Transportation

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

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 15118  
(THIRD REVISION)

**EXPIRATION DATE: December 31, 2016**

1. GRANTEE: Mystery Creek Resources Inc.  
McGrath, AK
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of Sodium cyanide in quantities that exceed those authorized by cargo only aircraft. 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. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
  - c. No party status will 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 § 172.101 Column (9B) in that the quantity limitations are exceeded and § 172.302(c) in that the marking requirements are waived.
5. BASIS: This special permit is based on the application of Mystery Creek Resources Inc. dated November 29, 2012, submitted in accordance with § 107.105 and the public preceding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| <b>Hazardous Materials Description</b>  |                               |                                |                      |
|---|-------------------------------|--------------------------------|----------------------|
| <b>Proper shipping name</b>   | <b>Hazard Class/ Division</b> | <b>Identi- fication Number</b> | <b>Packing Group</b> |
| Nitric acid <i>other than red fuming with at least 65 percent, but not more than 70 percent nitric acid</i> | 8                             | UN2031                         | II                   |
| Sodium cyanide  | 6.1                           | UN1689                         | I                    |
| Sodium Hydroxide Solution   | 8                             | UN1824                         | II                   |

7. SAFETY CONTROL MEASURES:a. PACKAGING -

- (1) Prescribed packagings for sodium cyanide are UN 13H1, UN 11C, or UN11D intermediate bulk containers.
- (2) Prescribed packagings for nitric acid are UN31A, 31B or 31N as shown in 172.102, or IB-2 intermediate bulk containers.
- (3) Prescribed packagings for sodium hydroxide are UN31A1, or as authorized in § 172.101.

b. OPERATIONAL CONTROLS - Transportation is authorized to a private strip at the Nixon Fork Mine in Alaska only where other means of transportation are impracticable and only from the following locations:

- Ted Stevens Anchorage International Airport Anchorage, AK;
- Merrill Field Airport, Anchorage, AK;
- Fairbanks International Airport, Fairbanks, AK; or
- McGrath Airport, McGrath, AK

c. The contracted air carrier authorized under the terms of this special permit is Lynden Air Cargo, Anchorage, AK.

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d. The air carrier must be provided detail regarding the hazards of the materials involved and emergency response measures in the event of an incident.

e. Flights must be conducted away from populated areas.

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 offered or reoffered for transportation.

c. MARKING - The marking requirements of § 172.302(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo only aircraft.

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. The shipper must furnish a 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.

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.

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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.:



for Dr. Magdy El-Sibaie  
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-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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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)

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PO: TG