



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

400 Seventh Street, S.W.  
Washington, D.C. 20590

**OCT 19 2004**

DOT-E 11502  
(SIXTH REVISION)

EXPIRATION DATE: September 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

- 1. GRANTEE: Federal Express Corporation  
Memphis, TN

(See Appendix A to this document for a list of additional grantees)

- 2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce, by highway, of hazardous materials prepared in accordance with § 171.11 and the ICAO Technical Instructions, regardless of whether any part of the transportation is by aircraft. This exemption only applies to packaging, marking and labeling and shipping paper certification and description requirements and provides no relief from any regulation other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

- 3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

- 4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 171.11 in that a hazardous material, packaged in accordance with the ICAO Technical Instructions, may not be solely transported by motor vehicles, except as specified herein; and § 172.301(c) and § 172.203(a) in that marking the exemption number on the

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shipping paper and package is required, except as specified herein.

5. BASIS: This exemption is based on the application of Federal Express Corporation dated September 24, 2004, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
All materials authorized for air transport under the provisions of § 171.11 and ICAO Technical Instructions	As appropriate	As appropriate	As appropriate

7. SAFETY CONTROL MEASURES: Packaging is as required by the ICAO Technical Instructions and § 171.11 except that when 49 CFR prescribes more stringent packaging requirements than the packagings authorized by the Technical Instructions, the packaging used must conform to the requirements in 49 CFR.
8. SPECIAL PROVISIONS: The marking requirements of § 172.203(a) and § 172.301(c) are waived.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: Compliance with 49 CFR Part 177 is required.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption 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 exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180, when applicable.
  - 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 exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving a package or a shipment made under the terms of this exemption.

Issued in Washington, D.C.:

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 Robert A. McGuire  
 Associate Administrator for  
 Hazardous Materials Safety

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 (DATE)

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

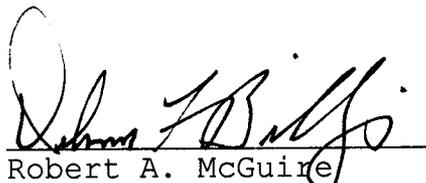
Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: KFW/am

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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

<b>Company Name City/State</b>	<b>Application Date</b>	<b>Issue Date</b>	<b>Expiration Date</b>
American Airlines, Inc. Tulsa, OK	Dec 06, 2002	Dec 12, 2002	Nov 30, 2004
American Eagle, Airline Corporation Ft. Worth, TX	Dec 06, 2002	Dec 12, 2002	Nov 30, 2004
TWA Airlines, LLC Kansas City, MO	Dec 06, 2002	Dec 12, 2002	Nov 30, 2004



*jm*  
Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety