January 16, 2004

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 12726
(FIFTH REVISION)

EXPIRATION DATE: March 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: American Airlines, Inc.
Tulsa, Oklahoma
(Former grantee: Air Transport Association (ATA))

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

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain non-DOT specification and DOT-4DA and 4DS specification cylinders, used as fire suppression systems in aircraft to be shipped, as fire extinguishers. This exemption provides no relief from the Hazardous Materials Regulations (HMR) 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 § 173.309 in that the cylinders covered under this exemption are not authorized as fire extinguishers, except as specified herein, and § 172.301(c) in that marking each cylinder with the exemption number is waived.

5. BASIS: This exemption is based on the application of American Airlines, Inc. dated July 24, 25, and 28, 2003, submitted in accordance with § 107.109 and an additional letter dated January 14, 2004.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Fire extinguishers *containing compressed or liquefied gas* *	2.2	UN1044	n/a

* NOTE: The use of the proper shipping name, Fire extinguisher, is only authorized for materials and cylinders that meet Special Provision 18a. through d. of § 172.102(c)(1). However, units removed for maintenance that may not meet the charge requirement of Special Provision 18b. may be shipped to an overhaul facility under the terms of this exemption provided all other conditions of the exemption are met.

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are limited to DOT specification 4DA, 4DS and non-DOT specification cylinders that are authorized by DOT-E 5861, 6071, 7026, 7477, 7945, 8495, 10440, 10555 and 10964 containing only Bromotrifluoromethane *or* Refrigerant gas, R 13B1, 2.2, UN1009 in dedicated service and complied with the provisions of the applicable exemptions.

b. OPERATIONAL CONTROLS -

(1) This exemption may only be used for the transportation of the cylinders identified in paragraph 7.a. used in aircraft fire suppression systems.

(2) This exemption only authorizes the cylinders covered under this exemption to be shipped as fire extinguisher (not for requalification).

8. SPECIAL PROVISIONS:

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

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. The marking of each cylinder with □DOT-E 12726" required by § 172.301(c) is waived.

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

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel, aircraft or motor vehicle used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption 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 exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- 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 this 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 the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety
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: 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:

Company Name City/State	Application Date	Issue Date	Expiration Date
ABX Air, Inc. Wilmington, OH	Apr 27, 2004	JUN 7 2004	Mar 31, 2005
Alaska Airlines Seattle, WA	Aug 26, 2003	Sep 22, 2003	Mar 31, 2005
American Airlines, Inc. formerly ATA Tulsa, OK	Jul 24, 2003	Aug 01, 2003	Mar 31, 2005
American Eagle Airlines, Inc. Ft. Worth, TX	Apr 08, 2003	Apr 24, 2003	Mar 31, 2005
Delta Air Lines, Inc. Atlanta, GA	Jan 13, 2004	Jan 23, 2004	Mar 31, 2005
FedEx Express Corporation Memphis, TN	Aug 05, 2003	Sep 22, 2003	Mar 31, 2005
GE Aviation Materials Irving, TX	Jun 02, 2003	Jun 18, 2003	Mar 31, 2005
General Electric Engine Services Cincinnati, OH	Jun 02, 2003	Jun 20, 2003	Mar 31, 2005
Kidde Aerospace Wilson, NC	Jan 16, 2004	Apr 2, 2004	Mar 31, 2005
Northwest Airlines, Inc. Minneapolis, MN	Nov 02, 2003	Apr 2, 2004	Mar 31, 2005
Southwest Airlines Company Dallas, TX	Sep 16, 2003	Sep 22, 2003	Mar 31, 2005
USAirways Pittsburgh, PA	Aug 01, 2003	Aug 07, 2003	Mar 31, 2005

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Company Name City/State	Application Date	Issue Date	Expiration Date
United Air Lines, Inc. (United) San Fransico, CA	Oct 16, 2003	Oct 21, 2003	Mar 31, 2005
United Parcel Service Company Louisville, KY	Jul 28, 2003	Aug 07, 2003	Mar 31, 2005

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

JUN 7 2004
Date