U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JAN 1 2 2005

DOT-E 11110
(SEVENTH REVISION)

EXPIRATION DATE: December 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: United Parcel Service Company (UPSCO)
Louisville, Kentucky

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain hazardous materials in an inaccessible location aboard an aircraft in quantities exceeding those authorized by § 175.75(a)(2) subject to the conditions and limitations provided herein. This exemption authorizes the hazardous materials identified in paragraph 6 below, which are otherwise permitted to be carried aboard passenger-carrying aircraft, to be loaded:

(1) In any inaccessible cargo compartment;

(2) In any freight container within an accessible cargo compartment; and

(3) In any accessible cargo compartment in a cargo-only aircraft in a manner that makes them inaccessible in flight.

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 § 171.8 (modified) and § 175.75(a)(2) in that quantity limitations are exceeded.

5. BASIS. This exemption is based on United Parcel Service Company's application dated December 20, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

The hazardous materials shipped under the terms of this exemption must be described by the specific chemical name or generic description, as appropriate.

Class or Division as follows:

- Division 1.4, Compatibility Group S;
- Class 3, Packaging Group III, not meeting the definition of any other hazard class;
- Division 6.1, Packaging Group III;
- Class 8, Packaging Group III, not meeting the definition of any other hazard class.

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. Hazardous materials must in all respects be acceptable for transport by passenger-carrying aircraft, including the quantity limitations specified in column (9A) of the Hazardous Materials Table (§ 172.101); however, no package may exceed a gross mass of 32 kg (70 pounds).

b. Only combination packagings authorized by the HMR for the hazardous materials concerned are permitted (i.e., single packagings are not authorized) to be transported under terms of this exemption.

8. MODES OF TRANSPORTATION AUTHORIZED. Cargo aircraft only (See paragraph 9.c. for the limited extension of definition.)

9. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard each aircraft used to transport packages covered by this exemption.

b. Hazardous materials may only be transported under the terms of this exemption aboard an aircraft either operated by United Parcel Service Company, or by an operator listed in the Appendix to this exemption when that aircraft is operated under contract to, and under the exclusive use of, UPSCO. An aircraft operated by an operator not listed in the appendix to this exemption may, when operating under contract to, and under the exclusive use of UPSCO, transport hazardous materials under the terms of this exemption provided the operator has been identified to and acknowledged in writing by the Office of Hazardous Materials Exemptions and Approvals (OHMEA) prior to engaging in such transport. An aircraft is considered to be operating under the exclusive use of UPSCO when, for a particular flight or series of flights, all initial, intermediate and final loading and unloading of all cargo carried aboard the aircraft is performed in accordance with UPSCO loading procedures either by UPSCO personnel, or by ground handling agents under direct contract to UPSCO to load aircraft (UPSCO-operated and contractor-operated) on behalf of UPSCO.

c. In addition to persons authorized aboard the aircraft according to the definition in § 171.8 for cargo aircraft only (i.e., crewmembers, company employees, authorized representatives of the United States, or persons accompanying a shipment), airline employees (of other carriers) that hold a current FAA Commercial Pilot or Airline Transport Pilot certificates are permitted onboard aircraft operating under the terms of this exemption.

10. 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.

- 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.

- 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.

11. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption 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 exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:

JAN 12 2005

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

(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: sln

APPENDIX

SUPPLEMENTAL CARRIERS AUTHORIZED TO TRANSPORT UNDER THE TERMS OF DOT-E 11110

Air Trans International
Amerjet
Arrow Air
Atlas Air
Capitol Cargo International
Custom Air Transport
Evergreen International Airlines
Express Net
Florida West
Gemini Air Cargo
Kalitta Air
Kitty Hawk
Lynden Air
Northern Air Cargo
Northwest Airlines
Polar Air Cargo
Southern Air Incorporated
Tradwinds
World Airways