



**U.S. Department of  
Transportation**  
Office of the Secretary  
of Transportation

## **NOTICE OF ACTION TAKEN**

**DOCKET OST-2000-8353**

This serves as interim notice to the public of the action described below, taken orally by the Department official indicated; the confirming order or other decision document will be issued as soon as possible.

Applicant: **Volga-Dnepr J.S. Cargo Airline**

Date Filed: November 17, 2000

Relief requested: Exemption pursuant to 49 U.S.C. section 40109(g) to permit it to operate one one-way cargo charter flight between Tulsa, OK, and Philadelphia, PA, on or about November 21, 2000, using its AN-124 aircraft, to transport an oversized cylindrical pressure vessel on behalf of Sunoco, Inc. The applicant stated that the vessel has been specially fabricated for Sunoco and is a crucial part of its refining process, and that timely delivery and installation will help to avoid possible heating oil shortages. It further stated that surface transportation was not feasible because of the time involved, the adverse effect a long road trip could have on the vessel, and the vessel's size; that transportation by air was the only viable option; and that because of the size of the vessel transportation on U.S.-carrier aircraft was not possible.

Applicant representative: Glenn Wicks 202-457-7790

Responsive pleadings: Volga-Dnepr served its application on those U.S. carriers operating large all-cargo aircraft. Each carrier indicated that it did not have aircraft available to conduct the proposed operation, and that it had no comment or did not oppose grant of the requested authority to Volga-Dnepr.

### **DISPOSITION**

Action: Approved

Action date: November 20, 2000

Effective dates of authority granted: November 21-24, 2000

Basis for approval: We found that the application met all the relevant criteria of 49 U.S.C. section 40109(g) for the grant of an exemption of this type, and that the grant was required in the public interest. Moreover, based on the representations of the U.S. carriers, we concluded that no U.S. carrier had aircraft available which could be used to conduct the operation at issue here. We also found that grant of Volga-Dnepr's request would prevent undue hardship to the cargo and Sunoco.

Except to the extent exempted/waived, this authority is subject to standard exemption conditions and to the condition that Volga-Dnepr comply with an FAA-approved flight routing for the authorized flight.

Action taken by: FRANCISCO J. SANCHEZ  
Assistant Secretary for Aviation  
and International Affairs