

**#15 Letter from FAA CAFO (NY) to P. Oppenheimer, FedEx.
Special Agent's Statement**

Civil Aviation Security Field Office
Building 77, Penthouse 3
John F. Kennedy International Airport
Jamaica, New York 11430

CERTIFIED MAIL -RETURN RECEIPT REQUESTED

Mr. P. Oppenheimer
Federal Express
2900 Business Park Dr. Bldg. C
Memphis TN 38118

RE: #97EA710188

~~Dear~~ Mr. Oppenheimer:

This office is investigating a possible violations of Title 49 of the United States Code of Federal Regulations (Hazardous Materials Transportation An) regarding a shipment containing Methyl Methacrylate Monomer, Inhibited flammable liquid, UN1247. You accepted this shipment from New Metals & Chemical Corporation, LTD, 4-13 Sanchoe, Nihonbashi Chuo-Ku, Japan. The above product was transported on (FDXA) Flight #14 on July 31, 1997. The flight crashed on the runway at Newark International Airport (EWR).

The proper shipping name on the shippers declaration for dangerous goods air waybill MOO-9001-9016 was not as it appears in ICAO. The product Methyl Methacrylate Monomer, Inhibited, appeared on the declaration of dangerous goods as Methyl Metacrylate Monomer, Inhibited and therefore was not in compliance with ICAO, 4,4,1.2., in that the shipping name was not as prescribed for the material in column 1 of (he 2-14 Table).

As pan of our investigation into this matter, we are offering you the opportunity to furnish information concerning this incident. Your statement should contain all pertinent facts and/or circumstances which you believe may have a bearing on this matter including your knowledge of shipping procedures for hazardous materials. As we hope to resolve this matter promptly, your reply will be needed within ten (10) business days of your receipt of this letter. Should you fail to respond within the required time frame, this investigation will proceed without the benefit of your input.

Please address all of your correspondence to DG/CS Special Agent Robert Bieselin of the FAA Civil Aviation Security Field Unit, Hemisphere Center, Routes 1 & 9 South, Suite #208, Newark, New Jersey 07114.

Sincerely,

Elissa Cardamone
Manager, New York Civil Aviation
Security Field Office

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
CIVIL AVIATION SECURITY

SPECIAL AGENT'S STATEMENT

On July 31, 1997 at approximately 0130 hours, Federal Express (FDXA) Flight #14, a McDonald Douglas (MD) 11, Tail #N611FE crashed on Runway (RY) 22R at Newark International Airport (EWR), Newark, New Jersey. According to Fedex's Notification of Dangerous Goods Loading, there were a number of DG items on board. One in particular was .5 Liter of Methyl Methacrylate Monomer, Inhibited, 3, UN1247, II in a fiberboard box. The shipper was: New Metals & Chemical Corporation, LTD. 4-13 Sanchoe. Nihonbashi Chuo-Ko, Toyko, Japan. The consignee was: Herarus Kulzer, Kulzer Division, Philipp-Resis-Str., Wpherhain, Germany. Upon examining the shipping papers faxed to this Special Agent for this dangerous good, air waybill # 400-9001-9016, I noticed that the proper shipping name was misspelled. "Methyl Methacrylate Monomer, Inhibited" war listed as "Methyl Metacrylate Monomer, Inhibited". Fedex had accepted a dangerous good shipment with the proper shipping name misspelled in violation of ICAO, 4.4.1.2.

Interviewed/Reviewed On _____ At _____

By Joseph Ballas, Lead OG/CS

File No. _____