

July 21, 2011



U.S. Department
of Transportation

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 11386
(SEVENTH REVISION)

EXPIRATION DATE: January 31, 2015

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Beaver Island Boat Company
Charlevoix, MI

2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain liquefied petroleum gases and acetylene contained in DOT Specification cylinders on board passenger ferry vessels which are carrying more than 25 passengers. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.

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

 - c. Party status will not be granted to this special permit.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101, Column (10A), stowage categories "D" and "E" for Petroleum gases, liquefied; Propane; and Acetylene in that these materials are forbidden from being stowed on passenger ferry vessels carrying more than 25 passengers.

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5. BASIS: This special permit is based on the application of the Beaver Island Boat Company dated March 6, 2010 submitted in accordance with § 107.109 and additional information dated February 1, 2011.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Acetylene, dissolved	2.1	UN1001	N/A
Petroleum gases, liquefied or Liquefied petroleum gas	2.1	UN1075	N/A
Propane see also Petroleum gases, liquefied	2.1	UN1978	N/A

7. SAFETY CONTROL MEASURES: The materials must be packaged in the appropriate cylinders required by the Hazardous Materials Regulations. A maximum of two cylinders containing acetylene may be carried on each voyage.
8. SPECIAL PROVISIONS: None as a requirement of this special permit.
9. MODES OF TRANSPORTATION AUTHORIZED: Passenger ferry vessel.
10. MODAL REQUIREMENTS:
- a. Carriage of Propane, Petroleum gas, liquefied, or Acetylene, dissolved contained in DOT Specification cylinders having capacities not exceeding 100 pounds water capacity on board a passenger ferry carrying more than 25 passengers is subject to the following conditions:
- (1) The hazardous material must be stowed only on the open weather deck in a location acceptable to the Captain of the Port, taking into account the proximity to spaces occupied by passengers and the need to provide physical protection of material.

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(2) If practical, the hazardous material must be loaded onto and unloaded from the ferry vessel either prior to, or after the loading and unloading of other vehicles.

(3) The vessel operator must assure that the hazardous material is under regular surveillance by a member of the crew.

(4) Passengers may not remain in the area where these materials are stowed.

(5) Arrangements must be made to provide for rapid response to a casualty or fire involving the materials. If weather and other conditions permit, a charged fire hose must be laid out in the vicinity of the materials.

(6) All applicable provisions of 49 CFR 176, including those contained in § 176.76, § 176.89, and § 176.200 must be observed.

b. Compliance with the above provisions and any additional provisions must be to the satisfaction of the Captain of the Port.

c. A current copy of this special permit must be carried on board each ferry vessel used to transport the hazardous materials covered by this special permit.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit 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 special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit 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.

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Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training by §§ 172.700 through 172.704.

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

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

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

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

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

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Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at

http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm

Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: mn