

December 23, 2008



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14458
(FIRST REVISION)

EXPIRATION DATE: November 30, 2012

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Hawaii Superferry
Honolulu, HI
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes private motor vehicles such as recreational vehicles, with attached cylinders of liquefied petroleum gas in addition to extra containers of gasoline (including camp stove or lantern fuel) and portable cylinders of liquefied petroleum gas to be stowed aboard passenger ferry vessels. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. No party status will 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) except as provided herein and § 172.301(c) in that the marking requirement is waived.
5. BASIS: This special permit is based on the application of Hawaii Superferry dated December 19, 2008 submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Gasoline*	3	UN1203	II
Petroleum gases, liquefied or Liquefied petroleum gas**	2.1	UN1075	N/A
Propane see also Petroleum gases, liquefied**	2.1	UN1978	N/A

* Gasoline must be packaged in containers not exceeding 6-gallon water capacity and be authorized by the HMR.

** The liquefied gas must be packaged in DOT specification cylinders not exceeding 100 lb. water capacity and are included as part of a motor home or recreational vehicle.

7. SAFETY CONTROL MEASURES: Packaging and stowage prescribed are as follows:

a. The cylinders of liquefied petroleum gas and extra containers of gasoline (including camp stove or lantern fuel) covered by this special permit are exempt from 49 CFR except as set forth in this special permit.

b. For a recreation vehicle with installed cylinders, the aggregate total weight of additional portable cylinders (100 lbs.) is in addition to, and not a part of, the weight of the installed cylinders.

c. Portable containers of gasoline (including camp stove or lantern fuel) having a total aggregate water capacity of twelve (12) gallons may be carried in a vehicle, provided that no single portable container shall exceed a maximum water capacity of six (6) gallons, and the containers are DOT approved. Portable containers must be tightly closed and stowed in a suitably secure manner on the vehicle to the satisfaction of Hawaii Superferry personnel. Any container showing deterioration which might affect its integrity must not be allowed on board the vessel.

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- d. If a vehicle transports any combination of both liquefied petroleum gas in portable cylinders and flammable liquid fuel in portable containers, the total aggregate amount shall not exceed 12 gallons water capacity.
- e. Carriage is limited to the Hawaii Superferry HSV Alakai.

8. SPECIAL PROVISIONS:

- a. Each owner or operator of private motor vehicle shall advise the appropriate terminal staff of the presence in or on their vehicle of any portable cylinders of liquefied petroleum gas or portable containers of gasoline.
- b. All liquefied petroleum gas cylinders must be secured by closing the shut-off valves prior to the vehicles being loaded on the vessels.
- c. The owner or operator of each recreational vehicle with installed or connected liquefied petroleum gas cylinders must be directed to close all gas operating valves within the vehicle.
- d. A visual inspection by a responsible member of the crew and/or terminal staff must be made of each portable cylinder of liquefied petroleum gas and portable container of gasoline before it may be allowed aboard the vessel. Any cylinder or container showing deterioration, which might affect its integrity, must not be allowed on board the vessel.
- e. "No Smoking" signs must be posted on the vehicle decks.
- f. A continuous patrol of vehicle decks must be made by crew member. Any unusual or dangerous situation that may affect the activities covered by this special permit must be reported promptly to the vessel's master.
- g. Passengers may be allowed on the vehicle decks during the voyage and are subject to the control of the crew personnel conducting the continuous vehicle deck patrol.

9. MODES OF TRANSPORTATION AUTHORIZED: Passenger-ferry vessel.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel used to transport packages 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.

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 required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this 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 Theodore L. Willke
Associate Administrator for Hazardous Materials Safety

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

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: LAVALLE