

July 30, 2007



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 14555

EXPIRATION DATE: September 30, 2007

1. GRANTEE: Norton Sound Economic Development Corporation
Nome, AK
2. PURPOSE AND LIMITATION:
 - a. This emergency special permit authorizes the one-time, one-way transportation in commerce of a forklift battery pack by air in an area of Alaska where no other means of transportation is practicable. This special permit provides no relief from the hazardous materials regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with 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 § 173.159(c)(1) in that air transportation is not authorized, except as provided herein and § 172.302(c) in that the marking requirements are waived.
5. BASIS: This emergency special permit is based on the application of Norton Sound Economic Development Corporation dated July 27, 2007, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|--|-------------------------------|------------------------------|----------------------|
| Proper shipping name | Hazard Class/ Division | Identification Number | Packing Group |
| Batteries, wet, filled with acid, electric storage | 8 | UN2794 | III |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is as provided in 49 CFR 173.159(c) (1) and described in the July 26, 2007 application. Battery terminals must be protected by caps.

b. OPERATIONAL CONTROLS - Transportation is authorized one-time, one-way from Anchorage, Alaska to Unalakleet, Alaska.

c. The authorized air carrier is:

Northern Air Cargo
3900 Old International Airport Road
Anchorage, Alaska 99502

8. SPECIAL PROVISIONS:

a. A current copy of this special permit must be maintained at each facility where the package is offered for transportation.

c. MARKING - The marking requirements of 49 CFR 172.302(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.

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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

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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, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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