



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

May 16, 2024

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 15963
(FIFTH REVISION)

EXPIRATION DATE: 2027-07-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Jack Harter Helicopters, Inc.
Lihue, HI
FAA Certificate Number: DCGL136D (Part 133)
DCGA136D (Part 135)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain hazardous materials by 14 CFR Part 133 cargo-only aircraft (Rotorcraft External Load Operations) transporting hazardous materials attached to or suspended from the aircraft, and 14 CFR Part 135 operations, as applicable, in remote areas of the US only, without being subject to hazard communication requirements, quantity limitations and certain loading and stowage requirements. 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 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.
 - d. This Special Permit does not grant the authority to use foreign controlled airspace or airports outside the United States.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

Tracking Number: 2023094176

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.200 172.300, 172.400 in that shipping papers, marking and labeling requirements are waived, § 173.27 general requirements by air is waived, §175.30(a)(1) in that oily rags are forbidden for transportation aboard cargo aircraft, except as specified herein; § 175.30 (a) and (e), in that the requirement to inspect shipping papers, marking, and labeling are waived; § 175.30(b) and (c) in that the inspection of the package or overpack by the operator of the aircraft is waived for Part 133 operations, § 175.33 shipping paper and pilot notification are all waived, Part 178 in that certain packaging requirements are waived, and § 175.75 in that alternative stowage is authorized, and Part 173 in that certain packaging requirements are waived.
5. BASIS: This special permit is based on the application of Jack Harter Helicopters, Inc. dated September 5, 2023, submitted in accordance with § 107.123.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
1,1,1,2-Tetrafluoroethane <i>or</i> Refrigerant gas R 134a	2.2	UN3159	N/A
Acetylene, dissolved	2.1	UN1001	N/A
Adhesives	3	UN1133	I, II, III
Aerosols, flammable (<i>each not exceeding 1 L capacity</i>)	2.1	UN1950	N/A
Air, compressed	2.2	UN1002	N/A
Batteries, wet, filled with acid, electric storage	8	UN2794	N/A
Batteries, wet, filled with alkali, electric storage	8	UN2795	N/A
Batteries, wet, non-spillable, electric storage	8	UN2800	N/A
Battery fluid, acid	8	UN2796	II

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Battery fluid, alkali	8	UN2797	II
Battery-powered equipment or Battery-powered vehicle	9	UN3171	N/A
Butane <i>see also</i> Petroleum gases, liquefied	2.1	UN1011	N/A
Dangerous Goods in Machinery or Dangerous Goods in Apparatus	9	UN3363	N/A
Diesel fuel	3	UN1202	III
Engines, internal combustion, <i>flammable gas powered</i>	9	UN3529	N/A
Engines, internal combustion, <i>flammable liquid powered</i>	9	UN3528	N/A
Engines, internal combustion	9	UN3530	N/A
Fire extinguishers containing compressed or liquified gas	2.2	UN1044	N/A
Flammable liquids, n.o.s.	3	UN1993	I, II, III
Fuel, aviation, turbine engine	3	UN1863	III
Gasoline	3	UN1203	II
Hydrochloric acid	8	UN1789	II, III
Kerosene	3	UN1223	III
Life-saving appliances, self-inflating	9	UN2990	N/A
Lighters <i>containing flammable gas</i>	2.1	UN1057	N/A

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lighter refills <i>containing flammable gas not exceeding 4 fluid ounces (7.22 cubic inches) and 65 grams of flammable gas</i>	2.1	UN1057	N/A
Lithium ion batteries	9	UN3480	N/A
Lithium ion batteries contained in equipment*	9	UN3481	N/A
Lithium ion batteries packed with equipment*	9	UN3481	N/A
Lithium metal batteries, contained in equipment*	9	UN3091	N/A
Lithium metal batteries, contained packed within equipment*	9	UN3091	N/A
MachineryEngine, internal combustion or Machinery, internal combustion	9	UN3530	N/A
Engine, internal combustion, flammable gas powered or Machinery, internal combustion, flammable gas powered	2.1	UN3529	N/A
MachineryEngine, internal combustion, flammable liquid powered or Machinery, internal combustion, flammable liquid powered	3	UN3528	N/A
Methanol	3	UN1230	II
Nitrogen, compressed	2.2	UN1066	N/A
Oxygen, compressed	2.2	UN1072	N/A
Paint <i>including paint, lacquer, enamel, stain, shellac solutions, varnish, polish, liquid filler, and liquid lacquer base</i>	3	UN1263	III

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Paint related material <i>including paint thinning, drying, removing, or reducing compound</i>	3	UN1263	III
Paint, flammable, corrosive <i>including paint, lacquer, enamel, stain shellac, varnish, polish, liquid filler, and liquid lacquer base</i>	3	UN3469	II, III
Paint, corrosive, flammable <i>including paint, lacquer, enamel, stain, shellac, varnish, polish, liquid filler, and liquid lacquer base</i>	8	UN3470	II
Pesticides, liquid, toxic, n.o.s.	6.1	UN2902	III
Petroleum distillates, n.o.s. <i>or</i> Petroleum products, n.o.s.	3	UN1268	III
Propane <i>see also</i> Petroleum gases, liquefied	2.1	UN1978	N/A
Rags, oily	4.2	UN1856	III
Receptacle, small, containing gas or gas cartridges (flammable) without release device, not refillable and not exceeding 1L capacity	2.1	UN2037	N/A
Receptacle, small, containing gas or gas cartridges (nonflammable) without release device, not refillable and not exceeding 1L capacity	2.2	UN2037	N/A
Receptacle, small, containing gas or gas cartridges (oxidizing) without release device, not refillable and not exceeding 1L capacity	2.2	UN2037	N/A
Refrigerant gas R404A	2.2	UN3337	N/A
Refrigerant gas, n.o.s.	2.2	UN1078	N/A

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Refrigerating machines containing non-flammable, non-toxic liquefied gas or ammonia solutions (UN2672)	2.2	UN2857	N/A
Self-defense spray, non-pressurized	9	NA3334	III
Vehicle, flammable liquid powered or flammable gas powered	9	UN3166	N/A

*A lithium battery, including those packed with or contained in equipment, with a mass exceeding 35 kg may not be transported under the terms of this special permit unless the offeror (shipper) holds an approval in accordance with § 172.102(c)(2), Special Provision A54.

7. SAFETY CONTROL MEASURES:

- a. PACKAGING: Prescribed packaging is the manufacturer's original packaging or a packaging of equal or greater strength and integrity. Compatibility and effectiveness of all packaging must, at a minimum, meet the requirements of 49 CFR 173.24.
- b. Aerosols and compressed gases must be secured in an upright position with protective caps and/or covers installed to prevent any unwanted discharge.
- c. Batteries (Other than Lithium batteries): All batteries packed in equipment must be packed in a manner that prevents accidental activation or dangerous evolution of heat. Spare batteries or batteries packed with equipment must have their terminals insulated or protected to prevent short circuits and prevent a dangerous evolution of heat.
- d. Liquid fueled or gasoline powered equipment may be filled to not more than 80% of its capacity to allow for expansion due to altitude changes.
- e. Lithium Cell and Batteries: All lithium cells and batteries (including those packed with equipment or contained in equipment) must be packed in such a manner as to prevent short circuits, including movement that could lead to short circuits. Spare cells and batteries must be separated from other metallic objects by being packed in a sturdy plastic bag. Battery powered equipment must be packaged in a manner that prevents accidental activation.

f. **Compressed Gas:** Compressed gases must be packaged and conform to Subpart G of Part 173. The cylinders must be secured in such a manner that prevents the cylinder from movement during transportation. The cylinder neck/valve shall be protected by the use of safety caps or collars. At no time shall the safety caps or collars be used as a lifting point. The cylinder must be inspected for leakage, corrosion, denting, bulging, gouging and fire damage. Inspection of valve, valve protection and around and inside the footing for corrosion and foreign materials must be conducted. If a cylinder fails any part of the visual inspection it may not be transported until repaired or replaced.

g. **Spontaneously Combustible Materials:** Division 4.2 materials must be transported in sealed containers to prevent any spontaneous combustion.

h. The requirements for shipping papers are waived.

i. Each outer packaging must be properly marked and labeled for the hazardous materials contained within.

j. Materials transported by external load must comply with the safety controls specified in this section.

8. **SPECIAL PROVISIONS:**

a. This Special Permit does not waive any FAA airworthiness requirements or the need to obtain other required FAA authorizations.

b. Alternative pilot-in-command notification procedures for 49 CFR Part 175.33, may be established subject to the written approval of the FAA Office of Hazardous Materials Safety.

9. **MODES OF TRANSPORTATION AUTHORIZED:** Cargo-only aircraft, and rotorcraft external load operations.

10. **OPERATIONAL REQUIREMENTS:** A current copy of this special permit must be carried aboard each aircraft used to transport materials covered by this special permit.

a. **Authorized aircraft:** Aircraft used under this special permit must be authorized by an FAA 14 CFR Part 133 or Part 135 Operating Certificate.

b. **Inspections:** The operator of the aircraft must inspect each package or overpack as required in accordance with §175.30(b) and (c) for Part 135 air operations only.

- c. Operations manual: FAA 14 CFR Part 133 operations must be conducted in accordance with conditions and limitations specified in the certificate holder's FAA-approved Rotorcraft Load Combination Flight Manual (RLCFM) and Hazardous Material Safety Mitigation Plan.
- d. Authorized persons aboard aircraft:
 - (1) Part 135 operations: No person may be carried other than a required flight crewmember, an FAA inspector, the shipper or consignee of the material or a representative of the shipper or consignee so designated in writing, or person necessary for handling the material.
 - (2) Part 133 operations: No person may be carried on the aircraft other than as authorized by 14 CFR 133.35.
- 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 William Schoonover
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-13, 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 <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: TG