



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

January 25, 2024

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 15980
(FIFTH REVISION)

EXPIRATION DATE: 2027-08-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Windward Aviation Inc
Kahului, HI
FAA Certificate Number: WVXL810T (Part 133)
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 an aircraft, in remote areas of the U.S. 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.
 - e. This special permit does not waive any FAA airworthiness requirements or the need to obtain other required FAA authorizations.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

Tracking Number: 2023095229

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.200, 172.300, and 172.400 in that shipping papers, marking, and labeling requirements are waived; § 173.27 in that general requirements by air are waived; Part 173 in that certain specification packaging requirements are waived; § 175.33 in that the shipping paper and pilot notification requirements are waived; and § 175.75 in that alternative stowage is authorized.
5. BASIS: This special permit is based on the application of Windward Aviation Inc dated September 27, 2023, submitted in accordance with § 107.105 and the public proceeding thereon.
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, <i>electric storage</i>	8	UN2794	N/A
Batteries, wet, filled with alkali, <i>electric storage</i>	8	UN2795	N/A
Batteries, wet, non-spillable, <i>electric storage</i>	8	UN2800	N/A
Flammable liquids, n.o.s.	3	UN1993	III
Diesel fuel	3	UN1202	III
Fuel, aviation, turbine engine	3	UN1863	I, II, or III
Gasoline	3	UN1203	II
Petroleum distillates, n.o.s. <i>or</i> Petroleum products, n.o.s.	3	UN1268	I, II, or III
Propane	2.1	UN1978	N/A

7. SAFETY CONTROL MEASURES:

- a. 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. Compressed gases must be secured in an upright position with protective caps and/or covers installed to prevent any unwanted discharge.

c. **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.

d. Operations under the terms of this special permit are only authorized to be conducted in remote areas of the U.S.

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 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: Rotorcraft External Load Operations (cargo-only aircraft).

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 as part of an FAA 14 CFR Part 133 Operating Certificate.

b. 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.

c. Authorized persons aboard aircraft: No person may be carried on the aircraft other than as authorized by 14 CFR 133.35. Training or qualification of a new crewmember will not take place during the execution of this special permit.

- d. Pilot requirements: Each pilot of an aircraft being operated under this special permit must have received formal training on the requirements of 49 CFR Parts 171-178 that are applicable to his/her duties and be thoroughly familiar with the specific requirements of 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 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: BB/NICKS