

October 23, 2019



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 15980
(THIRD REVISION)

EXPIRATION DATE: 2023-09-30

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Windward Aviation, Inc.
Puunene, HI
Air Certificate # WVXL810T
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain hazardous materials by 14 CFR Part 133 Rotorcraft External Load Operations transporting hazardous materials attached to or suspended from an aircraft, 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.
 - e. This Special Permit does not waive any FAA airworthiness requirements or the need to obtain other required FAA authorizations.

Tracking Number: 2019094733

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3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.200 172.300, and § 172.400 in that shipping papers, marking and labeling is waived, § 173.27 general requirements by air, § 175.30 Inspection of shipment, § 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.
5. BASIS: This special permit is based on the application of Windward Aviation, Inc. dated September 16, 2019 and submitted in accordance with § 107.109.
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
Combustible liquid, n.o.s.	Combustible liquid	NA1993	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. or Petroleum products, n.o.s.	3	UN1268	I, II, or III

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Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Propane	2.1	UN1978	N/A

7. SAFETY CONTROL MEASURES: 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.
8. MODES OF TRANSPORTATION AUTHORIZED: Rotorcraft External Load Operations.
9. 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.

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10. 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.

11. 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

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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-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: Andrew Eckenrode