

March 13, 2015



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 16420

EXPIRATION DATE: April 30, 2015

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Construction Helicopters, Inc.
dba CHI Aviation
Howell, MI
2. PURPOSE AND LIMITATION:
 - a. This emergency special permit authorizes the transportation in commerce of propane by 14 CFR Part 133 Rotorcraft External Load Operations transporting hazardous materials attached to or suspended from an aircraft without being subject to certain 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 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 § 172.101 Hazardous Materials Table Column (9B) in that the maximum quantity of propane in one package may not exceed 150 kg, §§ 172.200 and

March 13, 2015

172.204(c)(3) in that shipping papers are required, § 172.300 in that markings are required, § 172.400 in that labels are required, and § 173.315(j)(1) in that storage containers must be charged to five percent of their capacity or less and intended for permanent installation on consumer premises and shipped by private motor carrier, except as specified herein.

5. BASIS: This emergency special permit is based on the application of Construction Helicopters, Inc. dba CHI Aviation dated March 10, 2015, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

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

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings must comply with Subpart B of Part 173 and § 173.315(j)(1)(i) and (ii). Valves or other fittings must be adequately protected against damage during transportation. The requirements in § 173.315(j)(1) that storage containers must be charged to five percent of their capacity or less and must be intended for permanent installation on consumer premises and shipped by private motor carrier are waived.

- b. OPERATIONAL CONTROLS -

(1) Prior to attaching the containers to an aircraft, each container must be inspected by a trained and qualified person for leaks, corroded or abraded areas, dents, distortions, weld defects, or other conditions that may render the container unsafe for transportation.

March 13, 2015

(2) A maximum of two full containers or four empty containers may be attached to an aircraft at one time under the terms of this special permit.

(3) This special permit is limited to the transportation of 23 loads between LeConte Lodge, LeConte Mountain, Great Smoky Mountains National Park and the parking lot staging area specified in the application submitted March 10, 2015 and on file with the Office of Hazardous Materials Safety Approvals and Permits Division.

(4) Materials transported by external load must comply with the safety controls specified in this special permit.

(5) Alternative pilot-in-command notification procedures for 49 CFR Part 175.33, may be established subject to the written approval of the cognizant Regional Hazardous Materials Manager.

8. SPECIAL PROVISIONS:

(1) MARKING AND PLACARDING - Each container must be marked in accordance with § 172.332 and placarded on two opposing sides with the placard specified in § 172.532.

(2) The requirements for shipping papers are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: 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 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. Operations under the terms of this special permit must be conducted in accordance with the Congested Area Plan approved by the FAA.
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.

March 13, 2015

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 Dr. Magdy El-Sibaie
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: NICKS