

November 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 15963
(FIRST REVISION)

EXPIRATION DATE: September 30, 2019

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Jack Harter Helicopters, Inc.
Lihue, HI
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.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Table § 172.101, Column (9B), § 172.204(c)(3), § 173.27(b)(2) and § 175.30(a)(1) in that the explosives are forbidden by cargo aircraft, §§ 172.200 in that shipping papers are waived, and 172.301(c) certain marking requirements are waived, Part 173 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 Jack Harter Helicopters, Inc. dated September 22, 2015, 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
1,1,1,2-Tetrafluoroethane or Refrigerant gas R 134a	2.2	UN3159	N/A
Acetylene, dissolved	2.1	UN1001	N/A
Aerosols, flammable (each not exceeding 1 L capacity)	2.1	UN1950	N/A
Air, compressed	2.2	UN1002	N/A
Batteries, wet, filled with acid, electric storage	8	UN2794	III
Batteries, wet, filled with alkali, electric storage	8	UN2795	III
Batteries, wet, non-spillable, electric storage	8	UN2800	III
Butane see also 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

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Hazardous Materials Description			
Proper Shipping Name	Hazard Class/Division	Identification Number	Packing Group
Engines, internal combustion, flammable gas powered	9	UN3166	N/A
Flammable liquids, n.o.s.	3	UN1993	III
Fuel, aviation, turbine engine	3	UN1863	III
Gasoline	3	UN1203	II
Lighters containing flammable gas	2.1	UN1057	N/A
Lighter refills containing flammable gas not exceeding 4 fluid ounces (7.22 cubic inches) and 65 grams of flammable gas	2.1	UN1057	N/A
Lithium ion batteries, packed with equipment including lithium ion polymer batteries	9	UN3481	N/A
Lithium metal batteries, packed with equipment including lithium alloy batteries	9	UN3091	N/A
Lithium ion batteries, contained in equipment including lithium ion polymer batteries	9	UN3481	N/A
Lithium metal batteries, contained in equipment including lithium alloy batteries	9	UN3091	N/A
Methanol	3	UN1230	II
Oxygen, compressed	2.2	UN1072	N/A

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Hazardous Materials Description			
Proper Shipping Name	Hazard Class/Division	Identification Number	Packing Group
Paint including paint, lacquer, enamel, stain, shellac solutions, varnish, polish, liquid filler, and liquid lacquer base	3	UN1263	III
Paint related material including paint thinning, drying, removing, or reducing compound	3	UN1263	III
Pesticides, liquid, toxic, n.o.s.	6.1	UN2902	III
Petroleum distillates, n.o.s. or Petroleum products, n.o.s.	3	UN1268	III
Propane see also Petroleum gases, liquefied	2.1	UN1978	N/A
Rags, oily	4.2	UN1856	III
Refrigerant gas R 404A	2.2	UN3337	N/A
Vehicle, flammable liquid powered	9	UN3166	N/A

7. SAFETY CONTROL MEASURES FOR MATERIALS OTHER THAN CLASS 1:

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. All packages must be blocked and braced to prevent movement.

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- c. Aerosols and compressed gases must be secured in an upright position with protective caps and/or covers installed to prevent any unwanted discharge.
- d. 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 pack with equipment must have their terminals insulated or protected to prevent short circuits and prevent a dangerous evolution of heat.
- e. Liquid fueled or gasoline powered equipment may be filled to not more than 80% of their capacity to allow for expansion due to altitude changes.
- f. Lithium batteries must remain installed in electronic devices. Spare 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.
- g. Compressed gas must be transported in serviceable DOT approved cylinders. 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.
- h. Division 4.2 materials must be transported in sealed containers to prevent any spontaneous combustion.
- i. The requirements for shipping papers are waived.
- j. Each outer packaging must be properly marked and labeled for the hazardous materials contained within.
- k. The marking requirements of 49 CFR 172.301(c) are waived.
- l. Materials transported by external load must comply with the safety controls specified in this section.
- m. 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.

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8. SPECIAL PROVISIONS. The aircraft operator must maintain permanent records of each flight during which explosives are carried under the authority of this special permit. This record must be made available at its principal business office to representatives of the Federal Aviation Administration and submitted to the Associate Administrator for Hazardous Materials Safety (AAHMS) upon request. The record for each flight must include:

- (1) Name of the shipper(s).
- (2) Name of the consignee(s).
- (3) Origin airport(s).
- (4) En route airport(s).
- (5) Destination airport.
- (6) Shipping name and class of each explosive.
- (7) Net weight of each explosive.
- (8) Name of each pilot and any other person aboard the aircraft.
- (9) Registration number of the aircraft.
- (10) Name of the individual representing the owner or operator of each manned airport who granted advance permission for the aircraft to land or take-off while it was being operated under this special permit.

The record required by this paragraph must be maintained current to within 72 hours of each flight under this special permit.

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.

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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.

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.

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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: LAVALLE