U.S. Department of Transportation
Research and Special Programs Administration

JUN 15 1999

400 Seventh Street, S.W.
Washington, D.C. 20590

DOT-E 12213

EXPIRATION DATE: May 31, 2001

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: State of Washington, Department of Transportation (DOT), Washington State Ferries, Seattle, Washington

2. PURPOSE AND LIMITATION:

   a. This exemption authorizes the transportation in commerce of liquefied petroleum gas and acetylene in DOT specification cylinder, secured to transport vehicles on passenger ferry vessels. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

   b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Column (10A) for the hazardous materials descriptions: Liquefied petroleum gas, propane, and acetylene.

5. BASIS: This exemption is based on the application of The State of Washington DOT, Washington State Ferries, dated December 29, 1998, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Acetylene, dissolved	2.1	UN1001	n/a
Liquefied petroleum gas	2.1	UN1075	n/a

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Propane	2.1	UN1978	n/a

7. SAFETY CONTROL MEASURES: PACKAGING - Packagings must be in accordance with § 173.304 for Liquefied petroleum gas, and Propane, and § 173.303 for Acetylene. A maximum of two (2) cylinders of acetylene may be carried on each voyage and a maximum of two (2) cylinders of propane may be carried on each vehicle. Each cylinder's capacity must not exceed 100 pounds water capacity.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Passenger ferry vessel carrying more than 25 passengers.

10. MODAL REQUIREMENTS:

a. Carriage of a transport vehicle carrying propane, petroleum gas, liquefied, or acetylene, dissolved on board a passenger ferry vessel carrying more than 25 passengers is subject to the following requirements:

(1) The hazardous material must be stowed only "on deck" in a location acceptable to the Captain of the Port, taking into account the proximity to spaces occupied by passengers and the need to provide physical protection of the material. Special consideration must be given to passenger refuge areas, egress locations, life-saving equipment, and embarkation areas.

(2) If practical, the hazardous material must be loaded onto and unloaded from the ferry vessel's stern either prior to, or after the loading and unloading of other vehicles. If the vehicle cannot be stowed on the

stern of the vessel, the stowage must be in a location acceptable to the master.

(3) Passengers may not remain in the area where these materials are stowed unless accompanied by a crew member.

(4) The vessel operator must ensure that the hazardous material is under regular surveillance by a member of the crew. Crew members assigned this duty must be equipped with radios to notify the bridge in the event of an emergency.

(5) Arrangements must be made to provide for rapid response to a casualty or fire involving the materials. For vessels with enclosed vehicle deck(s), a charged fire hose must be laid out in the vicinity of the materials. For vessels with open vehicle decks, a charged fire hose must be laid out in the vicinity of the materials if weather and other conditions permit.

(6) Compliance with the above provisions and any additional provisions must be to the satisfaction of the Captain of the Port.

b. A copy of this exemption must be carried on board each passenger ferry vessel carrying more than 25 passengers.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

JUN 15 1999
(DATE)

Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

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