U.S. Department
of Transportation

**Research and
Special Programs
Administration**

JAN 1 4 2005

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

DOT-E 14118

EXPIRATION DATE: March 31, 2005

1. GRANTEE: Tooele County Emergency Management (TCEM)
Tooele, UT

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the transportation in commerce of propane in a non-DOT specification ASME coded "U" stamped pressure vessel that exceeds the weight limitations authorized for shipment by cargo aircraft. This exemption provides no relief from any Hazardous Materials Regulation (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(9B) in that the quantity limitation for Propane by cargo aircraft is exceeded; § 172.302(c) in that marking the pressure vessel with the exemption number is waived; § 173.304a in that a non-DOT specification cylinder is not authorized for the transportation of propane; and § 175.5(a)(2) in that the aircraft is under the exclusive direction and control of a government agency for less than 90 days.

5. BASIS: This emergency exemption is based on the January 11, 2005 application of Tooele County Emergency Management, and additional information submitted on January 14, 2005 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):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Propane	2.1	UN 1978* UN 1075	n/a

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification ASME coded "U" stamped pressure vessel with a water capacity of 120 gallons. The pressure vessel is filled with approximately 95 to 100 gallons of propane having a gross weight of approximately 725 pounds.

b. OPERATIONAL CONTROLS - The authorized air carrier is El Aero Services, Elko, Nevada.

8. SPECIAL PROVISIONS:

a. The pressure vessel must be properly secured and transported as a jettisonable-external sling load, by a steel cable with a 11,200 pound weight capacity.

b. All filling, off-loading, and transportation operations must be under the direct supervision of an employee of TCEM or the Utah Communications Agency Network, who is knowledgeable of the hazardous materials regulations and appropriate safety, emergency response, and security requirements.

c. Transportation is authorized only for remote locations within the State of Utah, in support of providing emergency public safety emergency communications.

d. The total number of trips authorized by this exemption is limited to the number of trips necessary to fill the storage tanks located at the remote installations.

e. Transportation is authorized by helicopter operated by El Aero Services, using qualified pilots knowledgeable of the hazards presented by the hazardous materials and familiar with the appropriate procedures to take in the event of an emergency.

f. The flight path must be over a non-populated area.

g. TCEM must ensure appropriate emergency response resources and capabilities are available in the event on an emergency.

h. The marking requirement in § 172.302(c) is waived.

i. Any other specific provision as specified by the regional FAA hazardous materials specialist must be met.

j. This exemption is issued on a one-time emergency basis and will not be extended or reissued.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo aircraft only.

10. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard each cargo aircraft used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

b. Advance Notice of FAA Civil Aviation Security Regional Dangerous Goods/Cargo Security Coordinator (DG/CS). Notify the regional DG/CS Coordinator in the region where the flight will originate. This notification must be given at least 48 hours in advance of plans to operate under the exemption, unless prior arrangements have been made with the cognizant regional DG/CS Coordinator. The notification will include the point of departure and destination and a loading and departure schedule.

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.

- Persons operating under the terms of this exemption 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 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: Shipments or operations conducted under this exemption 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 exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:

JAN 1 4 2005

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

(DATE)

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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: DFB/dl/rrp