



U.S. Department
of Transportation

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

Research and
Special Programs
Administration

MAR 22 2004

DOT-E 11150
(EIGHTH REVISION)

EXPIRATION DATE: February 28, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Maine State Ferry Service
Rockland, Maine
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of liquefied petroleum gas in DOT Specification cylinders, secured to transport vehicles on passenger ferry vessels, which is not authorized by the regulations. 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 Column (10A) for the hazardous materials descriptions: Petroleum Gases, Liquefied, and Propane; § 172.301(c), except as specified herein.
5. BASIS: This exemption is based on the application of Maine State Ferry Service dated March 3, 2004 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

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Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Propane see also Petroleum gases, liquid	2.1	UN1978	N/A
Petroleum gases, liquefied or Liquefied petroleum gas	2.1	UN1075	N/A

7. SAFETY CONTROL MEASURES: Packagings must be in accordance with § 173.304.
8. SPECIAL PROVISIONS: The marking requirements of § 172.301(c) are waived.
9. MODES OF TRANSPORTATION AUTHORIZED: Passenger ferry vessel.
10. MODAL REQUIREMENTS:
- a. Carriage of a transport vehicle carrying Propane or Petroleum gas, liquefied, contained in DOT Specification cylinders having water capacity not exceeding 100 pounds, on board a passenger ferry is permitted subject to the following conditions:
- (1) The transport vehicle must be stowed only on the open weather 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 vehicle and its lading.
 - (2) If practical, the transport vehicle must be loaded onto and unloaded from the ferry vessel either prior to or after the loading and unloading of other vehicles.

- (3) The vessel operator must assure that the transport vehicle is under regular surveillance by a member of the crew.
 - (4) Passengers, other than the vehicle operator, may not remain in the vicinity of the transport vehicle carrying these materials.
 - (5) Arrangements must be made to provide for rapid response to a casualty or fire involving the transport vehicle, or its lading. If weather and other conditions permit, a charged fire hose must be laid out in the vicinity of the transport vehicle.
 - (6) All applicable provisions of Part 176, including those contained in §§ 176.76 and 176.89 must be observed.
- b. Compliance with the above provisions and any additional provisions must be to the satisfaction of the Captain of the Port.
 - c. A current copy of this exemption must be carried on board each ferry vessel used to transport the hazardous materials covered by this exemption.
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:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o 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.

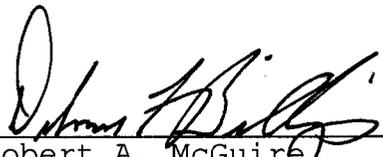
Each "Hazmat employee", as defined in § 171.8 who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through

172.704.

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

- 12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving fire, explosion, or 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 incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

for 

 Robert A. McGuire
 Associate Administrator for
 Hazardous Materials Safety

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(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: sln