



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

DOT-E 12240  
(SECOND REVISION)

400 Seventh St., S.W.  
Washington, D.C. 20590  
**MAR 4 2003**

**EXPIRATION DATE: January 31, 2005**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. **GRANTEE:** Spence Air Service  
Enterprise, Oregon
2. **PURPOSE AND LIMITATION:**
  - a. This exemption authorizes the transportation in commerce of propane, Division 2.1, in DOT specification cylinders aboard passenger-carrying aircraft, when other means of transportation are impractical or not available. This exemption provides no relief from the 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 (Hazardous Materials Table, Column (9A); 175.75(a)(1); and 175.75(a)(2) in that the material listed in paragraph 6 is forbidden aboard a passenger-carrying aircraft except as specified herein.
5. **BASIS:** This exemption is based on the application of Spence Air Service dated February 20, 2003, submitted in accordance with § 107.109.
6. **HAZARDOUS MATERIALS (49 CFR § 172.101):**

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

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT specification 4BA, 4BW and 39 cylinders. Prior to loading the cylinders aboard the aircraft, the pilot must check the cylinders for possible leakage, ensure that the valves are closed tightly, and perform a visual check for cylinder integrity. The cylinders must be loaded and secured in a manner that will prevent movement during transportation.

b. OPERATIONAL CONTROLS - No more than 60 pounds net weight of propane may be transported aboard each aircraft.

c. This exemption authorizes the use of small passenger-carrying aircraft operating within or into a remote area in the United States to carry, in other than scheduled passenger operations, not more than 60 pounds net weight of propane if:

(1.) Transportation by air is the only practical means of delivering the propane;

(2.) Carriage is necessary to meet the needs of a passenger on the same aircraft;

(3.) Each area or compartment in which the propane is loaded is suitably ventilated to prevent the accumulation of vapors.

(4.) Before each flight, the pilot-in-command:

    Informs each passenger of the location of the propane and the hazards involved; and

    Prohibits smoking, lighting matches, the carrying of any lighted cigar, pipe, cigarette, flame or the use of any device which may cause an open flame or spark during loading, unloading or in flight.

8. SPECIAL PROVISIONS: No additional requirements other than as required by the HMR.

9. MODES OF TRANSPORTATION AUTHORIZED: Passenger-carrying aircraft.

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10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each aircraft used to transport packages covered by this exemption. The shipper must furnish a current copy of this exemption to the air carrier before or at the time the shipment is tendered.
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 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 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 in Washington, D.C.:

  
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for Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

MAR 4 2003

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(DATE)

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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: KFW/sln