

December 28, 2006



U.S. Department  
of Transportation

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

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 12362  
(FIFTH REVISION)

EXPIRATION DATE: November 30, 2010
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1. GRANTEE: Department of Defense (DOD)  
Ft. Eustis, VA
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes limited maintenance and repair operations to vehicles stowed below deck in the same cargo holds as Class 1 explosives aboard Large, Medium Speed, Roll-on/Roll-off (LMSR) vessels. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
  - c. Party status will not be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 176.164(c) in that the repair work outlined in paragraph 9 of this special permit may be carried out in a cargo space containing Class 1 materials.
5. BASIS: This special permit is based on the application of DOD dated December 27, 2006, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Class 1 (explosive materials) (proper shipping name as appropriate)	1.1, 1.2,1.3, 1.5,1.6	as appro- priate	II

7. SPECIAL PROVISIONS: A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

8. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel.

9. MODAL REQUIREMENTS:

a. A current copy of this special permit must be carried aboard each cargo vessel used to transport packages covered by this special permit.

b. The only vessels to which this special permit applies are LMSR vessels.

c. The charging of vehicle batteries in cargo holds which also contain any Class 1 (explosive) materials is prohibited. However, batteries may be removed from vehicles and charged elsewhere on the vessel, provided:

i. Only suitable handling equipment is employed, and

ii. Adequate precautions are taken to avoid damage to the battery, short circuiting of the battery, and spillage of the electrolyte.

d. The refueling of a vehicle in cargo holds which also contain any Class 1 (explosive) materials may be conducted only if the following conditions are met:

i. A portable non-spilling fuel handling system of not more than 5 gallons capacity is used.

ii. At least two CG approved marine type, Type B, size I or UL approved 5BC portable fire extinguishers, or approved equivalents, are provided in the fueling area.

iii. At least 2 persons are specifically assigned and are present during the operation, at least one of whom must be experienced in using the portable extinguishers required in the fueling area.

iv. Engines of all vehicles must be stopped before any refueling is to take place in a cargo hold.

e. A vehicle in the cargo hold of a vessel which also contains any Class 1 (explosive) materials may undergo a Vehicle Exercise and Re-Processing (VERP) session only if the following conditions are met:

i. At least one CG approved marine type, Type B, size 1, or UL approved 5BC portable fire extinguisher, or its approved equivalent, is readily available.

ii. The vehicle must be attended at all times while running.

iii. The vessel's on/offload ventilation system must be in operation to assure adequate ventilation in the space to preclude the accumulation of dangerous fumes.

iv. All vehicle engines must be shut off immediately when breakage or leakage of packages containing flammable liquids or gases, flammable solids, oxidizers, or organic peroxides occurs or is discovered.

v. All fuel handling devices and unmounted vehicle batteries are removed from the hold before any vehicle engine is placed in operation.

10. 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.

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 Robert A. McGuire  
Associate Administrator  
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety

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Administration, Department of Transportation, Washington, D.C.  
20590. Attention: PHH-31.

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](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: sln