

October 19, 2007



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14569

EXPIRATION DATE: September 30, 2009

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See Individual Authorization Letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation of Class 1 (explosive) materials on unmanned deck barges in an alternative stowage configuration. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 176.83(e)(2) and 176.83(f) in that the requirement to segregate a freight container loaded with Class 1 (explosive) materials from other hazardous materials when the container is stowed "on deck" is waived.
5. BASIS: This special permit is based on the application of Marine Exchange of Alaska dated August 3, 2007 submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Hazardous materials classed in the following Divisions: 1.1, 1.2, 1.3, 1.4, 1.5 and 1.6	As Appropriate	As Appropriate	As Appropriate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Only freight containers that meet the definition of "closed freight container" in § 176.2 may be used under the terms of this special permit.

b. OPERATIONAL CONTROLS -

(i) Freight containers packed with Class 1 (explosive) material must be "separated from" other hazardous materials, except for Class 9, by a distance of at least 6 m (20 feet).

(ii) Notwithstanding the paragraph above, freight containers packed with Division 1.4 or 1.6 materials need not be "separated from" from hazard classes 2.2, 2.3 or 6.1.

(iii) Cargo stowed within 8 feet of a freight container packed with Class 1 (explosive) material must be non-combustible.

(iv) Other hazardous materials, except for Class 9, may not be stowed in the same vertical line as a freight container packed in accordance with this special permit.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

- b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
- c. MARKING - The outside of a freight container which is being transported on an unmanned deck cargo barge under the terms of this special permit must be plainly and durably marked "DOT-SP 14569" adjacent to each placard which is required to be affixed to the container.
9. MODES OF TRANSPORTATION AUTHORIZED: Cargo Vessel (Unmanned deck cargo barge only).
10. MODAL REQUIREMENTS:
- a. A current copy of this special permit must be carried aboard each tug or towing vessel used to transport by barge the packages covered by this special permit.
- b. The shipments authorized under this special permit may be transported only on unmanned deck cargo barges operated in and between waters of the Puget Sound in the State of Washington and the waters of Alaska.
11. 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.

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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 Theodore L. Willke
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: LAVALLE