MAY 25 1994

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 11131

EXPIRATION DATE: April 30, 1996

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Interstate Navigation Company, New London, Connecticut.

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of liquified 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 regulations other than as specifically stated.

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.

5. BASIS. This exemption is based on Interstate Navigation Company's application dated September 8, 1993 submitted in accordance with 49 CFR 107.103, and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class Division	Identification number	Packing Group
Propane	2.1	UN1978	N/A
Petroleum gases, liquefied or Liquefied petroleum gas	2.1	UN1075	N/A

7. PACKAGING AND SAFETY CONTROL MEASURES: Packagings must be in accordance with 49 CFR 173.304.

8. SPECIAL PROVISIONS. Not as a requirement of this exemption.

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 capacities 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 49 CFR Part 176, including those contained in Sections 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 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 Hazardous Materials Transportation Act:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

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 unless a regulation has been amended making the exemption no longer necessary.

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 (AAAHMS) as soon as practicable. (49 CFR 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 at Washington, D.C.:

MAY 25 1994

Alan I. Roberts
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

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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