

March 1, 2004



U.S. Department
of Transportation

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

**Research and
Special Programs
Administration**

DOT-E 10028
(SEVENTH REVISION)

EXPIRATION DATE: January 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: E.I. DuPont de Nemours and Company, Inc.
Wilmington, DE
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of dimethyl sulfate in DOT Specification 112S400W tank cars. This exemption provides no relief from the Hazardous Materials Regulations (HRM) 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 § 172.102(c)(3), Special Provision B74 in that uninsulated tank cars are not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of E.I. DuPont de Nemours and Company, Inc. dated December 17, 2003, 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
Dimethyl sulfate	6.1	UN1595	I

7. SAFETY CONTROL MEASURES:

a. PACKAGINGS - Prescribed packagings are DOT Specification 112S400W tank cars equipped with full head shields. Reporting marks for the authorized tank cars are:

DUPX 20405	DUPX 20407	DUPX 20408
DUPX 20412	DUPX 20414	DUPX 20417
DUPX 20421	DUPX 20425	DUPX 20426
DUPX 20428	DUPX 20429	DUPX 20432
DUPX 20433		

b. TESTING - Each car must be tested and inspected as required for DOT Class 112S400W tank cars.

c. MARKING - Each tank car tank must be marked "DOT-E 10028" in four-inch letters and numerals on a contrasting background above the DOT Specification number.

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

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: No additional requirements other than as required by the HMR.

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 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.

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- 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:

- a. The Federal Railroad Administration is to be notified if any unusual incident, such as derailment or exterior tank car damage, occurs during the movement of a tank car operating under this exemption by contacting the:

Federal Railroad Administration
Office of Safety Assurance and Compliance
RRS-12, Mail Stop 25
1120 Vermont Avenue, N.W.
Washington, D.C. 20005
(202) 493-6247 or 493-6229

- b. 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 also inform the AAHMS, in writing, as soon as practicable of any incident 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

March 1, 2004

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: Schoonover/dl