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

NOV 7 2003

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

DOT-E 10951
(SIXTH REVISION)

EXPIRATION DATE: October 31, 2005

(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 a Division 2.3, Hazard Zone C material, in certain DOT Specification 105A600W and 105S600W tank cars equipped with a pressure control device in addition to the required safety relief valve. This exemption provides no relief from the Hazardous Materials Regulations (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 §§ 173.314(g)(3); 179.15(e)(1) and (2); 179.101-1; 179.102-17(d) in that the installation of a preemptive pressure control device is 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 October 24, 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**
Hydrogen chloride, refrigerated liquid	2.3	UN2186	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are DOT Specification 105A600W and 105S600W tank cars meeting all DOT requirements except that the tank cars are equipped with a pressure control device in addition to the required safety relief valve. The pressure control device is set at 380 psig and is preceded by a rupture disk set at 400 psig, and both must be as shown on Teldyne Farris Engineering Drawing No. 24503L02 Rev. A as submitted in the original application. Reporting marks for tank cars operating under this exemption must be on file with the Associate Administrator for Hazardous Materials Safety prior to transportation.

b. TESTING - Tank cars must be tested and inspected as required for DOT Class 105 tank cars.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. Each tank car operating under the terms of this exemption must be stenciled in letters at least 1 (one) inch high with the wording "PRESSURE CONTROL DEVICE - 380 LBS" in association with the test date markings.

d. MARKING - Each tank car tank must be marked "DOT-E 10951" in four inch letters and numerals on a contrasting background above the DOT Specification number.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS:

a. The Federal Railroad Administration is to be notified if any unusual incident occurs, such as a material release, 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 Ave., N.W.
Washington, DC 20005
(202) 493-6247 or 493-6229

b. The service trial requirements of section 1.4.3.3 of the Association of American Railroad's Specification for Tank Cars apply to tank cars operating under the terms of 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 Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- 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 also inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Ann Mazzullo

for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

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(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.

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/sln