



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

JUL 30 2004

DOT-E 11344
(FIFTEENTH REVISION)

EXPIRATION DATE: June 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: E.I. DuPont de Nemours and Company, Incorporated
Wilmington, Delaware

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes tank cars, containing hazardous materials identified in paragraph 6, to remain standing with unloading connections attached when no product is being transferred, provided that a minimal level of monitoring, as specified in this exemption is maintained. 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 § 172.203(a) in that marking the exemption number on shipping papers is waived; § 172.302(c) in that the marking requirements are waived; and § 174.67(i) and (j), except as specified herein.
5. BASIS: This exemption is based on the applications of E.I. DuPont de Nemours and Company dated June 14, 2004 and June 25, 2004 submitted in accordance with § 107.109.

See Attachment Appendix B

6. HAZARDOUS MATERIALS (49 CFR § 172.101): See Appendix B of this exemption.

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT specification tank cars authorized for the material specified meeting all DOT specification requirements.

b. Any manually operated switch, under the proprietary control of the exemption holder, providing access to the track on which the equipment is located must be lined against movement to that track and locked with an effective locking device operable only by a representative of the facility.

c. The facility operator must install a bi-directional derail in an effective location (at least 50 feet when possible) from the end of the equipment to be protected by the caution sign. The person performing the unloading operation must lock the device in the derailing position with an effective locking device operable only by a representative of the facility.

d. The facility operator must designate an employee responsible for on-site monitoring of the transfer facility in the absence of the unloader. The designated employee must be made familiar with the nature and properties of the product contained in the tank car, procedures to be followed in the event of an emergency; and, in the event of an emergency, have the ability and authority to take responsive actions.

e. When a signaling system is used (including a monitoring system or a sensing device), the system must be capable of alerting the designated employee in the event of an emergency and providing immediate notification of any monitoring system malfunction. If the monitoring system does not have self-monitoring capability, the designated employee must check the monitoring system hourly for proper operation. (For recommendations on the selection, installation and maintenance of signaling systems see NFPA 72 - Installation, Maintenance and Use of Protective Signaling Systems.)

f. In the absence of the unloader:

1. the tank car and facility shutoff valves must be secured in the closed position;

2. no product may be transferred; and
3. the requirements of § 174.67(a)(2) and (3) apply.

g. The transfer facility shutoff valve must be located as close as practicable to the point of connection between the transfer system and the tank car and in a manner that will minimize the release of product in the event of hose rupture or separation. The facility operator must take appropriate steps to prevent rupture of transfer hoses due to product expansion (i.e. liquid expansion chambers or hoses with an increased minimum burst pressure rating.)

8. SPECIAL PROVISIONS:

a. The facility operator must have written safety procedures on file at each location that uses this exemption. The facility operator must instruct each employee performing any function under this exemption on the contents of these procedures and ensure compliance with them. The written procedures must contain at least the following:

1. A physical description of the facility including the address and hours of operation.
2. A drawing of the transfer facility showing natural and manmade barriers, locations of protective equipment (i.e., derail and caution sign), locations of emergency equipment and locations of signaling equipment.
3. Procedures for monitoring the transfer facility [see paragraphs 7(a) and (b)].
4. Information on the contents of the tank car including:
 - (i) chemical or common name of the product
 - (ii) health and physical hazards involved in handling the product
 - (iii) emergency and first aid procedures
5. Procedures for securing the transfer facility and protective equipment including derail, switch locks, tank car brakes, caution sign and wheel blocks.

6. Equipment available for employee safety and procedures for using the equipment.
 7. Procedures and limitations for movement of tank cars in the vicinity of the transfer facility.
 8. Testing and maintenance of system components including signaling systems.
 9. Training requirements for designated employees responsible for monitoring the transfer facility.
 10. Procedural steps in the event of an emergency, including names and phone numbers of key personnel and public agencies to contact.
 11. Procedures for reviewing incidents to determine whether the written procedures require revision or modification to prevent future occurrences and amending those procedures when the review necessitates changes.
- b. The facility operator must establish and maintain liaison with fire, police and other appropriate public officials to learn the responsibilities and resources of each governmental agency that may be called upon to respond to an emergency involving the tank car and transfer facility and acquaint the officials with the facility's capabilities and procedures in the event of an emergency.
- c. The marking requirements of § 172.302(c) are waived.
9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.
 10. MODAL REQUIREMENTS: None as a requirement 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:
 - 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.
- 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: 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 inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Robert A. McGuire
bⁿ Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

JUL 3 0 2004
(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.

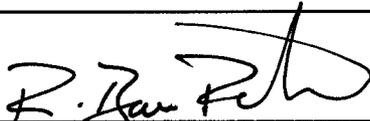
Copies of this exemption may be obtained by accessing the Hazardous Materials safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: AM

SEP 2 2004

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Air Products & Chemicals, Inc. Allentown, PA	May 4, 2004	Jul 30, 2004	Jun 30, 2006
DuPont Dow Elastomers LLC Wilmington, DE	Jun 25, 2004	Jul 30, 2004	Jun 30, 2006
INVISTA S.a.r.l Wilmington, DE (Former Grantee: INVISTA)	Aug 27, 2004 and Sep 2, 2004	SEP 2 2004	Jun 30, 2006



For Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
1-Chloro-1,2,2,2- Tetrafluoroethane or Refrigerant gas, R 124	2.2	UN1021	n/a
1,1-Difluoroethane or Refrigerant gas, R 152a	2.1	UN1030	n/a
1,1,1-Trifluoroethane, compressed or Refrigerant gas, R 143	2.1	UN2035	n/a
1,1,1,2-Tetrafluoroethane or Refrigerant gas, R 134a	2.2	UN3159	n/a
Acetic acid, glacial	8	UN2789	I
Acetone cyanohydrin, stabilized	6.1	UN1541	I, TIH Hazard Zone B
Acetonitrile	3	UN1648	II
Amines, flammable, corrosive, n.o.s. or Polyamines, flammable, corrosive, n.o.s.	3	UN2733	II
Butyraldehyde	3	UN1129	II
Butanols	3	UN1120	II
Chlorine	2.3	UN1017	n/a Hazard Zone B
Chlorodifluoromethane or Refrigerant gas, R 22	2.2	UN1018	n/a

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Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Combustible liquid, n.o.s.	CL	NA1993	III
Corrosive liquid, acidic, organic, n.o.s.	8	UN3265	II
Dichlorodifluoromethane or Refrigerant gas, R 12	2.2	UN1028	n/a
Difluoromethane or Refrigerant gas, R 32	2.1	UN3252	n/a
Dimethyl ether	2.1	UN1033	n/a
Dimethyl sulfate	6.1	UN1595	I
Dimethylamine solution	3	UN1160	II
Dimethylamine, anhydrous	2.1	UN1032	n/a
Elevated temperature liquid, flammable, n.o.s. (Dimethyl Terephthalate)	3	UN3256	III
Environmentally hazardous substance, liquid, n.o.s.	9	UN3082	III
Ethyl methyl ketone or Methyl ethyl ketone	3	UN1193	II
Ethyl chloroformate	6.1	UN1182	I, TIH, Hazard Zone B
Ethylene oxide	2.3	UN1040	n/a Hazard zone D
Flammable liquid, n.o.s.	3	UN1993	I
Fluorosulfonic acid	8	UN1777	I

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Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Hexamethylenediamine, solid	8	UN2280	III
Hexamethylenediamine solution	8	UN1783	II, III
Hexanes	3	UN1208	II
Hydrochloric Acid	8	UN1789	II
Hydrogen chloride, refrigerated liquid	2.3	UN2186	n/a TIH, Hazard Zone C
Hydrogen cyanide, stabilized	6.1	UN1051	I TIH, Hazard Zone A
Hydrogen fluoride, anhydrous	8	UN1052	I TIH, Hazard Zone C
Methacrylic acid, inhibited	8	UN2531	III
Methanol	3	UN1230	II
Methyl methacrylate monomer, inhibited	3	NA1247	II
Methyl methacrylate monomer, inhibited	3	UN1247	II
Methyl chloroformate	6.1	UN1238	I TIH, Hazard Zone A
Methyl acrylate, inhibited	3	UN1919	II
Methylamine, anhydrous	2.1	UN1061	n/a

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Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Methylamine, aqueous solution	3	UN1235	II
n-Butyl isocyanate	6.1	UN2485	I TIH, Hazard Zone B
n-Butyl methacrylate, inhibited	3	UN2227	III
N,N-Dimethylformamide	3	UN2265	III
Pentafluoroethane or Refrigerant gas, R 125	2.2	UN3220	n/a
Potassium hydroxide solution	8	UN1814	II, III
Sodium	4.3	UN1428	I
Sodium hydroxide solution	8	UN1824	II, III
Sulfur dioxide	2.3	UN1079	TIH, Hazard Zone C
Sulfuric acid	8	UN1830	II
Sulfuric acid, fuming	8	UN1831	I
Sulfuric acid, spent	8	UN1832	II
Toluene	3	UN1294	II
Trimethylamine, anhydrous	2.1	UN1083	n/a
Trimethylamine, aqueous solution	3	UN1297	II