



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

AUG 17 2004

DOT-E 11583
(THIRD REVISION)

EXPIRATION DATE: June 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.105.)

1. GRANTEE: Alaska Railroad Corporation
Anchorage, Alaska
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation, in commerce, of class/division 2.1, 2.2, 3, combustible liquids, 6.1 PG II and III, 8 and/or 9 materials in mixed trains. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated.
 - 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 § 174.82(b), except as specified herein.
5. BASIS: This exemption is based on the application of Alaska Railroad Corporation dated July 7, 2004 submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials in class/division 2.1, 2.2, 3, combustible liquid, 6.1 PG II or III, 8 and/or 9. The proper shipping description authorized under the terms of this exemption must be as specified in 49 CFR Subpart B of Part 172, an exemption issued under 49 CFR Subpart B of Part 107, or as authorized in accordance with § 171.12 or § 171.12a.

7. SAFETY CONTROL MEASURES:

a. Each railcar containing hazardous materials must be separated from each occupied passenger railcar by a minimum of six railcars that do not contain hazardous materials.

b. Railcars containing hazardous materials must be placed in the train behind all occupied passenger railcars.

c. Each transport vehicle, freight container, or rail car containing any quantity of hazardous material must be placarded on each side and each end with the type of placards specified for hazard class in § 172.504(e), Table 2. This section applies regardless of the amount of hazardous materials contained within the transport vehicle, freight container or rail car,

8. SPECIAL PROVISIONS:

The shipping paper notations specified in § 172.203(a) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.10. MODAL REQUIREMENTS:

The Federal Railroad Administration (FRA) is to be notified if any unusual incident occurs, such as derailment, during the movement by contacting the:

Federal Railroad Administration
Office of Safety Assurance and Compliance
RRS-12, Mail Stop 25
1120 Vermont Ave., N.W.
Washington, D.C. 20590
(202) 493-6247 or 493-6229

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.
- 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 this 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 of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipment made under the terms of this exemption.

Issued in Washington, D.C.:



6ⁿ Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

AUG 17 2004

(DATE)

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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.

Dist: sln