



JUL 10 2003

DOT-E 11864
(FIFTH REVISION)

EXPIRATION DATE: May 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Chemtrade Logistics, Inc.
Ontario, Canada
(U.S. Agent: Chemtrade Logistics, Inc.,
Chicago, Illinois)

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

2. PURPOSE AND LIMITATION:

- a. This exemption authorizes the offering of tank cars, containing a residue of molten sulfur, without removing the frangible disc in the pressure relief device for inspection. 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 the shipping papers is waived; § 173.31(d)(1)(vi), except as specified herein.
5. BASIS: This exemption is based on the application of Chemtrade Logistics Inc. dated June 27, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

JUL 10 2003

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Sulfur, molten	9	NA2448	III

7. SAFETY CONTROL MEASURES:

- a. Prescribed packagings are DOT specification tank cars and non-DOT tank cars authorized for molten sulfur.
- b. Prior to offering, the shipper must conduct the visual inspection of each car in accordance with the provisions of § 173.31(d)(1)(vi) except that the frangible disc is not required to be removed for inspection. All other applicable portions of § 173.31 must be complied with.

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. MARKING - Each tank car must be marked "DOT-E 11864" 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: This exemption imposes no additional modal requirements.

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:

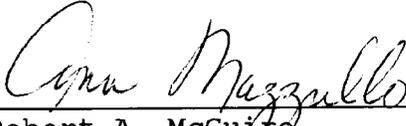
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

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 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued in Washington, D.C.:



Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

JUL 10 2003

(DATE)

JUL 1 0 2003

Continuation of DOT-E 11864 (5th Rev.)

Page 4

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: sln

JUL 10 2003

Continuation of DOT-E 11864 (5th Rev.) Appendix A Page 5

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
J.R. Simplot Co. Pocatello, ID	Mar 22, 2001	May 17, 2002	Jun 30, 2003



for Robert A. McGowan
Associate Administrator for
Hazardous Materials Safety