



U.S. Department
of Transportation

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

**Research and
Special Programs
Administration**

MAY - 4 2004

DOT-E 12002
(THIRD REVISION)

EXPIRATION DATE: **March 31, 2006**

1. GRANTEE: Yellowstone Pipe Line Company
Thompson Falls, MT
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the unloading of tank cars containing Class 3 materials utilizing an alternate procedure to remove frozen liquid from bottom outlet valves. 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 § 174.67(g) in that an alternative unloading procedure is not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of Yellowstone Pipe Line Company dated December 1, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Diesel fuel	3	NA1993	III
Fuel, aviation turbine engine	3	UN1863	I/II/III
Fuel oil (No. 1,2,4,5, or 6)	3	NA1993	III
Gasoline	3	UN1203	II

7. SAFETY CONTROL MEASURES: Prescribed packagings are DOT and AAR specification tank cars authorized for the materials contained therein.
8. SPECIAL PROVISIONS:
- a. Frozen liquid may be cleared from bottom outlet valves using the nitrogen gas surge procedure outlined in Yellowstone Pipe Line Company's application.
 - b. Each employee must be instructed on the proper procedures to be used in clearing frozen liquid from bottom outlet valves.
 - c. MARKING: The marking requirements of § 172.301(c) are waived.
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 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.

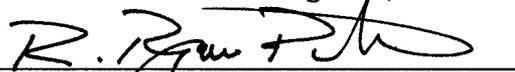
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable
- o Registration required by § 107.601 et seq. when applicable.

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 incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



fr Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAY - 4 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: Schoonover/sdc