



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

SEP 8 2004

DOT-E 12134
(FOURTH REVISION)

EXPIRATION DATE: July 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Members of the Washington, D.C., based Institute of Shortening and Edible Oils, Inc. identified in Appendix A to this exemption.

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

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the offering for transportation, and transportation in commerce of spent bleaching earth as a Division 4.2, solid, PG III, exempt from the provisions of the Hazardous Materials Regulations (HMR) except 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 Parts 171-180 except as specified herein.
5. BASIS: This exemption is based on the application of Institute of Shortening and Edible Oils, Inc. dated August 30, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Self-heating solid, organic, n.o.s. (spent bleaching earth)	4.2	UN3088	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are non-DOT specification, sift-proof dump or hopper-type vehicles, and sift-proof roll-on/roll-off bulk bins, which must be covered by a tarpaulin, metal cover, or equivalent means.

b. OPERATIONAL CONTROLS -

(1) The temperature of the spent bleaching earth at the time it is offered for transport and during transportation may not exceed 55°C (130°F). The elapsed time between offering of the material at the point of origin, and unloading at the destination, may not exceed 24 hours.

(2) Each driver of a vehicle transporting spent bleaching earth under terms of this exemption must be trained regarding the properties and hazards of spent bleaching earth, precautions to ensure safe transport of the material, and actions to be taken in the event of an emergency during transportation, or a substantial delay in transit.

(3) Shipping papers must be prepared for each shipment in accordance with §§ 172.200 - 172.205. Emergency response information as required by § 172.602(a)(2) through (7) is required to be provided on or with the shipping paper.

(5) Each vehicle operating under this exemption must be marked in conformance with § 172.302(a).

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be carried on each vehicle and maintained at each facility where the spent bleaching earth is offered for transportation.

b. Persons operating under the authority of this exemption must comply with the training requirements of subpart H of Part 172.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: Addressed in paragraph 7.b 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:

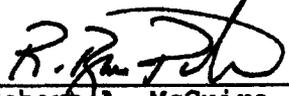
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required 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 this exemption has expired, or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Each incident involving release of contents from a transport vehicle must be reported to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable and Sections 171.15 and 171.16 apply to operations covered by this exemption.

Issued in Washington, D.C.:



Robert A. McGuire
fr Associate Administrator for
Hazardous Materials Safety

SEP 8 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: KFW/sln

SEP 8 2004

APPENDIX A

Aarhus Inc.
131 Marsh Street
Port Newark, NJ 07114

ACH Food Companies, Inc.
7171 Goodlett Farms Parkway
Cordova, TN 38018-49909

Archer Daniels Midland Company
P.O. Box 1470
Decatur, IL 62525

Ag Processing Inc.
12700 West Dodge Rd.
Omaha, NE 68154

Bunge North America
11720 Borman Drive
St. Louis, MO 63146

California Oils Corp.
1145 Harbour Way South
Richmond, CA 94804-3695

Cargill, Inc.
P.O. Box 5724
Minneapolis, MN 55440

CHS, Inc.
P.O. Box 64089
St. Paul, MN 55164-0089

ConAgra Grocery Products Co.
3353 Michelson Dr.
Irvine, CA 92612-0650

Fuji Vegetable Oils, Inc.
1 Barker Avenue
White Plains, NY 10601

Golden Foods, LLC
2520 Seventh St.
Louisville, KY 40208

J. M. Smucker Co.
5204 Spring Grove Avenue
Cincinnati, OH 45217

Liberty Vegetable Oil Co.
15306 S. Carmenita Rd.
Santa Fe Springs, CA 90670

Loders Croklaan
24708 West Durkee Rd.
Channahon, IL 60410-5249

Bd Miniati, Inc./
South Chicago Packing Co.
1055 W. 175th St.
Homewood, IL 60430

Perdue Farms Incorporated
P.O. Box 1537
Salisbury, MD 21802-1537

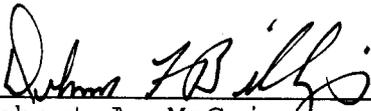
Riceland Foods, Inc.
P.O. Box 926
Stuttgart, AR 92160

Ventura Foods, LLC
Lou Ana Division
P.O. Box 591
Opelousas, LA 70570

OCT 19 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
NuWay Industrial Services, Inc. Lexington, SC	Sep 22, 2004	OCT 19 2004	Jul 31, 2006
Owensboro Grain Edible Oils, LLC Owensboro, KY	Jul 21, 2004	Aug 10, 2004	Jul 31, 2006
Twin Rivers Technologies Natural Ingredients Cincinnati, OH	Sep 9, 2004	Sep 29, 2004	Jul 31, 2006



DN
Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety