



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

MAR 15 2004

DOT-E 12325
(FOURTH REVISION)

EXPIRATION DATE: September 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Air Liquide America L.P.
Houston, TX
(FORMER GRANTEE: AGL Propane
Atlanta, GA)

(See Appendix A to this exemption for additional grantees)

2. PURPOSE AND LIMITATION:

This exemption authorizes tank cars, containing hazardous materials identified in paragraph 6, to remain standing with unloading connections attached, provided that a minimum level of monitoring, as specified in this exemption, is maintained and that specially designed hoses, capable of preventing a catastrophic uncontrolled release of product, are utilized. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 174.67(i) and (j), in that, with a minimum level of monitoring, a car may be allowed to stand with the unloading connections attached whether or not product is flowing out of the car; and that marking requirements of § 172.302(c) are waived.
5. BASIS: This exemption is based on the application of Air Liquide America, L.P. dated December 18, 2003 submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Hazardous materials as specified in § 172.101 Table authorized in railroad tank cars	As appropriate	As appropriate	As appropriate

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings must be DOT or non-DOT specification tank cars authorized for the material specified and meeting all DOT specification requirements.

b. Hoses used for the unloading operation must be: constructed by Smart Hose Technologies, Inc. (models: Lifeline 1, 2, or 3); equipped with cable connected wedges, plungers or flapper valves located at each end of the hose; and marked with the name of the manufacturer, the location (city and state) of the facility at which it is manufactured, and the date of manufacture.

c. Each facility operator unloading tank cars 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. Each facility operator must designate an employee or employees responsible for on-site monitoring of the transfer facility. The designated employee(s) must be made familiar with the nature and properties of the product contained in a tank car being unloaded on site, 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. The transfer facility must be inspected by one of the designated employees at least hourly and a log must be maintained documenting the times and dates of inspection. If more than one employee is "designated," during each shift or other period when the plant is operating and during any other time when a tank car containing a hazardous material is

connected to the unloading facility, the exemption holder must notify which of the designated employees is responsible for on-site monitoring of the transfer facility.

e. When the car containing hazardous materials is connected to an unloading apparatus:

(i) If product is being transferred, the provisions of subparagraph d., above, must be followed.

(ii) If no product is being transferred from the tank, the tank car and facility shut off valves must be secured in the closed position;

(iii) The designated employee must be on site at the facility; and

(iv) The requirements of § 174.67(a) (2) and (3) apply.

f. Prior to each use, each hose must be inspected to ensure that it is of sound quality, without obvious defects detectable through visual observation.

g. Hoses must be tested in accordance with the written procedures, time-frames and acceptance criteria established and provided by the hose manufacturer and on file with the Office of Hazardous Materials Exemptions and Approvals.

h. 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 a tank car and transfer facility and acquaint the officials with the facility's capabilities and procedures in the event of an emergency.

i. The marking requirements of § 172.302(c) are waived.

j. A current copy of this exemption must be maintained at each facility where this exemption is utilized. A current copy of this exemption must be made available to a DOT representative upon request.

8. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

9. MODAL REQUIREMENTS: None as a requirement of this exemption.

10. 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.

11. 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

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAR 15 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.

PO: AM

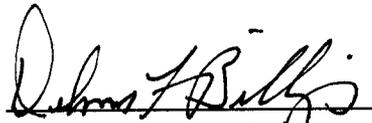
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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Amerigas Propane, L.P. Southington, CT	Apr 1, 2004	May 4, 2004	Sep 30, 2005
Anadarro Petroleum Corporation Rock Springs, WY	Dec 08, 2003	Feb 26, 2004	Sep 30, 2005
Ashland Distribution St. Louis, MO	Nov 24, 2003	Dec 12, 2003	Sep 30, 2005
BP Amoco Chemical Alvin, TX	Aug 03, 2004	Sep 21, 2004	Sep 30, 2005
Celanese Acetate LLC (Celriver Plant) Rock Hill, SC	Dec 10, 2003	Feb 26, 2004	Sep 30, 2005
Degussa Theodore, AL	Oct 02, 2003	Oct 20, 2003	Sep 30, 2005
Eastern Propane Corp. Oak Ridge, NJ	Jan 20, 2004	Feb 26, 2004	Sep 30, 2005
ExxonMobil Chemical Company, Beaumont, TX	Feb 26, 2004	Mar 15, 2004	Sep 30, 2005
Ferrellgas Inver Grove Heights, MN	Oct 8, 2004	OCT 14 2004	Sep 30, 2005
General Chemical Corporation, Middletown, OH	Mar 1, 2004	Apr 21, 2004	Sep 30, 2005
General Chemical Corporation Cleveland, OH	Nov 07, 2003	Dec 01, 2003	Sep 30, 2005
General Chemical LLC Parsippany, NJ	Sep 19, 2003	Oct 20, 2003	Sep 30, 2005
General Chemical - Springfield Works Springfield, TN	Apr 22, 2004	Jul 12, 2004	Sep 30, 2005
General Chemical West LLC Parsippany, NJ	Sep 19, 2003	Oct 20, 2003	Sep 30, 2005
Heritage Operating L.P. Kalispell, MT	Jun 29, 2004	Aug 11, 2004	Sep 30, 2005

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Company Name City/State	Application Date	Issue Date	Expiration Date
Kraton Polymers, U.S. LLC Belpre, OH	Jan 06, 2004	Jan 28, 2004	Sep 30, 2005
Multistar Ind, Inc. Othello, WA	Feb 23, 2004	Mar 15, 2004	Sep 30, 2005
Rowell Chemical Corporation Hinsdale, IL	Dec 03, 2003	Dec 12, 2003	Sep 30, 2005
Sumter Transport Company Sumter, SC	Oct 30, 2003	Oct 20, 2003	Sep 30, 2005
Weyerhaeuser Kingsport, TN	Jun 14, 2004	Aug 11, 2004	Sep 30, 2005



Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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