



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 28 2004

DOT-E 12903
(FIRST REVISION)

EXPIRATION DATE: November 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Cargill Incorporated
Minneapolis, MN

(See Appendix A for a list of additional grantees)

2. PURPOSE AND LIMITATION:

- a. This exemption authorizes the transportation in commerce of certain Class 3 materials, in DOT Class 111A tank cars with a maximum gross weight on rail greater than 263,000 pounds but not greater than 286,000 pounds. 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 paper is waived; and §§ 173.26 and 179.13 in that the maximum gross weight on rail is greater than 263,000 pounds but not greater than 286,000 pounds.

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5. BASIS: This exemption is based on the application of Cargill Incorporated dated June 3, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

All class 3 materials authorized to be transported in DOT specification 111A100W1 tank cars.

7. SAFETY CONTROL MEASURES:

a. PACKAGING:

(i) Packaging prescribed are DOT Specification 111A100W1 tank cars constructed under Certificate of Construction numbers L-006109.

(ii) Each tank car must conform with the Association of American Railroads Standard S-259, dated January 5, 1995, and the following requirements:

Betterments	Type of Features
Puncture Resistance	Head thickness 0.4375 AAR TC128 Gr. B Shell thickness 0.446 AAR TC128 Gr. B
Controlling Longitudinal Loadings	Cardwell Westinghouse Mark 50
Structural Worthiness	Trinity underframe having a million mile fatigue life calculated by applying an overall load factor of 1.09
Track Worthiness	Super Service Ride Master trucks
Pressure Relief Device	Reclosing pressure relief device
Service Equipment Protection	Top fitting protection
Maintenance Program Development	See paragraph 8 (e)

(iii) Each tank may be loaded to a maximum gross weight on rail not to exceed 286,000 pounds, provided that the tank is not loaded in excess of the amount authorized per § 173.24b.

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b. MARKING - Each tank car operating under the terms of this exemption must be marked "DOT-E 12903" in four-inch letters and numerals on a contrasting background above the DOT Specification number.

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. Each tank car must meet the Association of American Railroads (AAR) Standard S-259, dated January 5, 1995, and may be operated only under controlled interchange conditions, as specified in the AAR Interchange Rules. The AAR and/or the individual rail carriers may impose more stringent operating and design requirements. Transit routes shall be agreed to, in writing, by participating railroads. The written acceptance shall be submitted to the Associate Administrator for Hazardous Materials Safety (AAHMS) at the address specified at the end of this exemption prior to the first offering on each route.

d. The additional information requirement for shipping papers in § 172.203(a) is waived.

e. The applicant shall file a copy of their complete maintenance program (see Appendix U of the Association of American Railroads Manual of Standards and Recommended Practices, M-1002, dated January, 1996) for any car operating under the terms of this exemption. The program shall be filed with the Federal Railroad Administration, at the address indicated in paragraph 10 prior to offering a tank car under the terms of this exemption.

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9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.
10. MODAL REQUIREMENTS: The Federal Railroad Administration is to be notified if any unusual incident occurs during the movement by contacting the:

Federal Railroad Administration
Hazardous Materials Division
RRS-12, Mail Stop 25
1120 Vermont Avenue, N.W.
Washington, D.C. 20590
(202) 493-6229 or 493-6247

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 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
Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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(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.

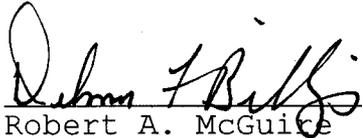
Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: FG/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
CHEMEX Corporation San Juan, PR	Nov 24, 2003	Dec 12, 2003	Nov 30, 2005



on Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety