

June 16, 2006



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 11771
(FIFTH REVISION)

EXPIRATION DATE: May 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109.)

1. GRANTEE: ConocoPhillips
Thompson Falls, MT
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the offering of tank cars, containing class 3 materials and combustible liquids, with no inspection of the top fittings and appurtenances and the unloading of these materials without opening and blocking the manway cover. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. No Party Status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.302(c) in that marking the special permit number on tank cars is waived; and § 173.31(d)(1)(ii), (iv), and (vi) and § 174.67 (b) and (c).
5. BASIS: This special permit is based on ConocoPhillips' application dated June 7, 2006 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
Gasoline	3	UN1203	II
Fuel, aviation, turbine engine	3	UN1863	III
Diesel fuel	3	NA1993	III

7. SAFETY CONTROL MEASURES:

a. Packagings prescribed are DOT specification tank cars authorized for the material specified and constructed in accordance with Union Tank Car Company's drawings, dated September 4, 1996, accompanying the original application or Trinity Industries, Incorporated's drawing SK-SLM-5, dated September 1, 1996.

b. Each tank car must be equipped with bottom discontinuity protection that conforms to the requirements of E9.00 and E10.00 of the AAR Specifications for Tank Cars.

c. Prior to offering, the shipper must conduct the visual inspection of each car in accordance with the provisions of § 173.31(d) (1) as applicable from the ground level.

d. The pressure relief devices and manway nozzle assembly of each tank car operating under the terms of this special permit must be inspected quarterly to ensure proper securement and the absence of corrosion or damage that may alter the intended operation of the device.

e. During unloading operations, the unloading facility must ensure that appropriate measures are taken to prevent damage to the tank car as a result of excessive pressure or vacuum.

8. SPECIAL PROVISIONS.

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

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- b. Shipping papers displaying 'DOT-E 11771' may continue to be used until October 1, 2007, provided the special permit remains valid.
9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.
10. MODAL REQUIREMENTS: None as a requirement of this special permit.
11. COMPLIANCE. Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172
 - 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 special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply for this special permit, including display of its number, when the special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49

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CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: sln