U.S. Department
of Transportation
**Research and
Special Programs
Administration**

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

APR 30 2002

DOT-E 12905

EXPIRATION DATE: **February 29, 2004**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Persons listed on Appendix A to this exemption.

   (See Appendix A of this exemption for a list of additional grantees)

2. PURPOSE AND LIMITATION:

   a. This exemption authorizes the transportation in commerce of certain tank cars with stainless steel identification plates in lieu of stamping the tank car heads with the DOT Specification and other requirements. 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; § 172.302(c) in that marking the exemption number on the tank cars is waived; § 173.22a(a) and (b); § 179.100-20(a), § 179.200-24(a) and (b), § 179.201-10(a) [first sentence only]; and § 179.220-25.

5. BASIS: This exemption is based on the application of Railway Progress Institute dated December 19, 2001, on behalf of their members identified herein. The application was submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

All hazardous materials approved for transportation in DOT and AAR tank cars.

7. PACKAGING -Packagings are DOT and AAR specification tank cars.

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. The car owner must have a current copy of this exemption.

c. To certify compliance with Federal requirements, the tank manufacturer must install two identical permanent identification plates, one located on each inboard surface of the AR and BL body bolster webs so that each plate is readily accessible for inspection. The plates must be at least 3/32-inch thick and manufactured from corrosion resistant metal. When the tank jacket (flashing) covers the body bolster web and identification plates, additional identical plates must be installed on the AR and BL corners of the tank in a visible location.

d. Each plate must be stamped, embossed, or otherwise marked by an equally durable method in letters 3/16-inch high with the following information (parenthetical abbreviations may be used, and the AAR form reference is to the AAR Specifications for Tank Cars, year 2000 version):

i. Tank Manufacturer (Tank MFG): Full name of the car builder as shown on the certificate of construction (AAR form 4-2).

ii. Tank Manufacturer's Serial Number (SERIAL NO): For the specific car.

iii. AAR Number (AAR NO): The AAR number from line 3 of AAR Form 4-2).

iv. Tank Specification (SPECIFICATION): The specification to which the tank was built from line 7 of AAR form 4-2.

v. Tank Shell Material / Head Material (SHELL MATL / HEAD MATL): ASTM or AAR specification of the material used in the construction of the tank shell and heads from lines 15 and 16 of AAR Form 4-2. For Class DOT-113W, DOT-115W, AAR-204W, and AAR-206W, the materials used in the construction of the outer tank shell and heads must be listed. Only list the alloy (e.g., 5154) for aluminum tanks and the type (e.g., 304L or 316L) for stainless steel tanks.

vi. Insulation Material (INSULATION MATL): Generic names of the first and second layer of any thermal protection / insulation material applied.

vii. Insulation Thickness (INSULATION THICKNESS): In inches.

viii. Underframe / Stub Sill Type (UF/SS DESIGN): The design from Line 32 of AAR form 4-2.

ix. Date of Manufacture (DATE OF MFR): The month and year of tank manufacture. If the underframe has a different built date than the tank, then show both dates.

e. When a modification to the tank changes any of the information shown in paragraph 8(d) of this exemption, the car owner or the tank car facility making the modification must install an additional variable identification plate on the tank in accordance with paragraph 8(c) of this exemption showing the following information:

i. AAR Number (AAR NO): The AAR number from line 3 of AAR Form 4-2 for the alteration or conversion.

ii. All items of paragraph (d) of this exemption that were modified, followed by the month and year of modification.

f. MARKING: Tank cars offered under the terms of this exemption are not required to be marked with the exemption number in accordance with § 172.302(c).

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

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 493-6248

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:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

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

Issued in Washington, D.C.:

APR 30 2002

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

(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