U.S. Department
of Transportation

**Research and
Special Programs
Administration**

NOV 30 1990

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

DOT-E 10376
(FIRST REVISION)

1. Minnesota Commercial Railway Company, Chicago, Illinois and Airco Incorporated, Egan, Minnesota are hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations subject to the limitations and special requirements specified herein. This exemption authorizes DOT Specification 105A500W tank car tanks loaded with carbon dioxide, refrigerated liquid, to remain standing with unloading connections attached, and provides no relief from any regulations other than as specifically stated.

2. BASIS. This exemption is based on Minnesota Commercial Railway Company and Airco Incorporated's application dated July 12, 1990, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Carbon dioxide, refrigerated liquid, classed as a non-flammable gas.

4. PROPER SHIPPING NAME (49 CFR 172.101). Carbon dioxide, refrigerated liquid.

5. REGULATION AFFECTED. 49 CFR 174.67 (j).

6. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

7. SAFETY CONTROL MEASURES.

a. Packagings prescribed are DOT Specification 105A500W tank car tanks.

b. All hoses and lines connected to the tank car tanks, refrigeration units, and cargo tanks are stainless steel and made to withstand 1800 psi of pressure. Safety sensors are installed to immediately stop the unloading process when there is a pressure reduction, leakage, or breakage of a hose or line.

c. Tank car tanks, refrigeration units, and cargo tanks are equipped with appropriate safety relief devices.

d. An employee, who is familiar with the nature and properties of the material, must be made responsible for unloading.

e. The employee responsible for unloading must be instructed on the procedures to be followed during unloading and, in the event of an emergency, has the authority and ability to halt the flow of product and take emergency actions.

f. When an electronic or mechanical monitoring device is used, the device must be capable of immediately halting the flow of product or of alerting the employee responsible for unloading in the event of an emergency.

g. The electronic or mechanical monitoring device must provide immediate notification of any malfunction to the person responsible for unloading, or the device must be checked hourly for malfunction. In the case of malfunction, the device will no longer be relied upon, and instead the individual responsible for unloading must constantly observe the unloading process.

8. SPECIAL PROVISIONS.

a. Any manually operated switch providing access to the track on which the equipment is located must be lined against movement to that track and locked with an effective locking device (other than a railroad lock).

b. A derail (one that is capable of restricting access to that portion of track within the area on which the tank car tanks are located) must be positioned at least 50 feet from the end of the equipment to be protected by the blue caution sign, when locked in the derailing position with an effective locking device (other than a railroad lock) by an individual performing the unloading/loading operation.

c. Written safety procedures must be on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA) and at each location where the unloading is performed and contain at least the following:

- monitoring of the transfer process [see Paragraphs 7(c), (d), and (f)]
- employee safety
- unloading/loading procedures
- movement of tank cars adjacent to unloading/loading racks
- testing and maintenance of system components
- emergency measures

9. REPORTING REQUIREMENTS. Any incident involving pressure reduction, leakage or failure of a hose or line must be reported to the Associate Administration for Hazardous Materials Safety as soon as practicable.

10. EXPIRATION DATE. October 31, 1992.

Issued at Washington, D.C.

NOV 30 1990

for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: FRA.