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

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

APR 3 2002

DOT-E 10419
(FIFTH REVISION)

EXPIRATION DATE: **March 31, 2004**

(FOR RENEWAL, SEE § 107.109)

1. GRANTEE: Vopak USA Inc.
Kirkland, WA

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

2. PURPOSE AND LIMITATION:

a. This exemption authorizes tank cars containing certain materials identified in paragraph 6 below to remain standing with unloading connections attached when no product is being transferred. 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 172.302(c) in that marking the exemption number on tank cars is waived; and 174.67(i) and (j), except as specified herein.

5. BASIS: This exemption is based on the application of Vopak USA Inc. dated January 31, 2002, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Ammonia, anhydrous	2.2	UN1005	N/A
Chlorine	2.3	UN1017	N/A
Sulfur Dioxide	2.3	UN1079	N/A

7. SAFETY CONTROL MEASURES:

a. Prescribed packagings are DOT Specification 105A500W tank car tanks stenciled either DOT 105A300W or 105A500W.

b. A copy of the Chlorine Institute Manual and the Chlorine Institute's Pamphlets 6, 57, and 66 must be on file at each location that uses this exemption for information on employee training and safety, emergency measures, and recommended procedures for the installation of piping systems and emergency shut-off facilities and procedures to be followed during unloading.

c. An employee must be made responsible for unloading and is familiar with the nature and properties of the material being unloaded.

d. The employee responsible for unloading is 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.

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

f. 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.

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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 at each location that uses this exemption 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 (see Section 4 of the Chlorine Institute Manual)

d. The marking requirements in § 172.302(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENT: None as a requirement of this exemption.

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.:

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(DATE)

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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.

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