U.S. Department
of Transportation

**Research and
Special Programs
Administration**

FEB 25 1997

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

DOT-E 11504
(THIRD REVISION)

EXPIRATION DATE: January 31, 1999

(FOR RENEWAL, SEE 49 CFR SECTION 107.109.)

1. GRANTEE: Livonia Avon & Lakeville Railroad Corporation
(Southern Division)
(Formerly: Champagne Railroad Incorporated)
Cohocton, New York

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain class 8 and Division 2.2 materials separated, in train, from an occupied locomotive by a locomotive with batteries disconnected and in tow. This exemption provides no relief from any regulations other than as specifically stated.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Sections 172.203(a); 172.301(c) and 174.85(d).

5. BASIS. This exemption is based on Champagne Railroad, Incorporated's application of July 22, 1996 submitted in accordance with 49 CFR 107.105 and the public process thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/Division	Identification number	Packing Group
Ammonia, anhydrous, liquefied or Ammonia solutions, relative density less than 0.880 at 15.56 degrees C, with more than 50 percent ammonia	2.2	UN1005	N/A
Phosphoric Acid	8	UN1805	III

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. Packaging prescribed are DOT specification tank cars authorized for the products identified herein which meet all DOT specification requirements.

b. An locomotive may be used as a buffer car to meet the provisions of restriction 2 of §174.85(d) provided the locomotive is in tow with no MU connection devices connected, the batteries are disengaged, no persons are on board, and the engine is not running.

c. MARKING: The marking requirements of 49 Sections 172.203(a) and 172.301(c) are waived.

8. SPECIAL PROVISIONS. Not as a condition of this exemption.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS:

The Federal Railroad Administration is to be notified if any unusual incident occurs, such as derailment or exterior tank car damage, during the movement by contacting the:

Federal Railroad Administration
Office of Safety Enforcement, RRS-12
Hazardous Materials Division
400 Seventh Street, S.W.
Washington, D.C. 20590
(202) 366-9178 or 366-0549

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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 Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

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.

a. 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. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

Ann Mazzullo 2/25/97

for Alan I. Roberts (DATE)
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.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Dist: FRA