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

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

FEB 13 2002

DOT-E 8458
(SIXTH REVISION)

EXPIRATION DATE: January 31, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: E.I. DuPont de Nemours and Company, Inc.
Wilmington, DE

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

2. PURPOSE AND LIMITATION: This exemption authorizes the use of converted DOT specification tank cars with extended retest periods for the transportation in commerce of certain Class 8 hazardous materials and provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.242; 173.243; 173.29(a); 180.509(c)(3)(ii); 180.509(l)(2), except as specified herein.

5. BASIS: This exemption is based on the application of E.I. DuPont de Nemours and Company, Incorporated dated December 9, 2001, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101): FEB 13 2002

| Proper Shipping Name/ Hazardous Materials Description | Hazard Class/ Division | Identi-fication number | Packing Group |
|---|---|---|---|
| Fluorosulfonic acid | 8 | UN 1777 | I |
| Nitrating acid mixtures *with not more than 50 percent nitric acid* | 8 | UN 1796 | II |
| Nitrating acid mixtures *with more than 50 percent nitric acid* | 8 | UN 1796 | I |
| Nitrating acid mixtures spent *with not more than 50 percent nitric acid* | 8 | UN 1826 | II |
| Nitrating acid mixtures spent *with more than 50 percent nitric acid* | 8 | UN 1826 | I |
| Sulfuric acid | 8 | UN 1830 | II |
| Sulfuric acid, spent | 8 | UN 1832 | II |
| Sulfuric acid, fuming *with less than 30 percent free sulfur trioxide* | 8 | UN 1831 | I |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are DOT Specification 111A100W2 tank cars converted from either a DOT 105A500W tank car with a 7/8 inch head and shell thickness or a DOT 112A400W tank car with a 3/4 inch head and shell thickness. The upper 2/3 of the tank car must be painted white. Each tank car must be equipped with stainless steel fittings, manway cover and rings and bolted fill hole closures.

b. TESTING - Tank cars operating under the terms of this exemption must be retested under the following schedule:

| Retest Intervals in Years | | | | Retest Pressure (psig) | | |
|---|---|---|---|---|---|---|
| Tank Interior and heater systems | | | Safety Relief Valve | Tank | Safety Relief Valves | |
| Up to 10 | Over 10 to 22 | Over 22 | | | Start to Discharge | Vapor Tight |
| 10 | 10 | 10 | 5 | 100 | 75 | 60 |

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. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation

c. MARKING - Tank cars operating under the terms of this exemption must be marked DOT-E 8458 in four inch letters and numerals on a contrasting background above the DOT specification number.

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
Office of Safety, Assurance & Compliance, RRS-12
1120 Vermont Avenue, NW, Stop 25
Washington, D.C. 20590
(202) 493-6247 or 493-6229

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. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 49 CFR 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 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued in Washington, D.C.:

For Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

FEB 13 2002
(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.

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

| Company Name City/State | Application Date | Issue Date | Expiration Date |
|---|---|---|---|
| NorFalco Sales, Inc., Mississauga, Ontario Canada (U.S. Agent: NorFalco LLC, Independence, OH) | 6/8/01 | 7/11/01 | 2/28/02 |
| Norfalco LLC Independence, OH | 6/8/01 | 7/11/01 | 2/28/02 |
| Noranda-DuPont LLC Wilmington, DE | 3/30/99 | 3/8/00 | 2/28/02 |

For Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety