U.S. Department
of Transportation

**Research and
Special Programs
Administration**

MAR 29 2001

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

DOT-E 12538

EXPIRATION DATE: **February 28, 2003**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Champagne Specialties, Inc.
Fairport, NY

2. PURPOSE AND LIMITATIONS:

This exemption authorizes the alternative procedure of approval for the repairs, alterations, conversions, modifications and retest of tank cars for use in transporting hazardous materials. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.302(c)and § 179.3 in that the application for approval for the repairs, alterations, conversions, modifications and retests of tank cars must be submitted to the Director - Tank Car Safety of AAR, except as specified herein.

5. BASIS: This exemption is based on the application of Champagne Specialties dated August 16, 2000, submitted in accordance with § 107.105 and the public proceedings thereof.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Materials authorized in DOT Specification tank cars as specified in HMR.	As appro-priate	As appro-priate	As appro-priate

7. SAFETY CONTROL MEASURES:

REPAIRS, CONVERSION AND TESTING OF TANK CARS - To repair and retest tank cars, the grantee of the exemption may submit the application for approval to the Associate Administrator for Hazardous Materials Safety instead of the Director - Tank Car Safety of AAR as specified in § 179.3. The procedure and practices must meet or exceed those contained in the AAR Manual of Standards and Recommended Practices and Specification for Tank Cars.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be maintained at each tank car facility where this exemption is used. It must be made available to a DOT representative upon request.

b. The marking of the exemption number on each tank car as specified in § 172.302(c) is waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.

10. MODAL REQUIREMENTS: No additional modal requirement.

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, 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.

Issued at Washington, D.C.

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAR 29 2001
(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.

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.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: KFW