OCT 30 1998

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

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

DOT-E 12169

EXPIRATION DATE: November 22, 1998

1. GRANTEE: E. I. Dupont de Nemours and Company, Inc.
Victoria, Texas

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of a covered hopper railcar containing a class 9 material that exceeds the maximum gross weight on rail by approximately 3,500 pounds. 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 172.203(a), 172.302(c) and 173.24b(d)(2).

5. BASIS. This emergency exemption is based on E. I. Dupont de Nemours and Company, Incorporated's application of October 21, 1998, submitted in accordance with 49 CFR 107.117 and a determination that the exemption is necessary to prevent serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/Division	Identification Number	Packing Group
Environmentally Hazardous Substance, Solid, N.O.S.	9	UN 3077	III

For the n.o.s. entry above, the requirements of 49 CFR 172.203(k) must be met.

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Packaging authorized is a sift proof covered hopper railcar authorized for the shipment of the hazardous material in 49 CFR Part 173 except that the railcar exceeds the maximum gross weight on rail by approximately 3,500 pounds.

8. SPECIAL PROVISIONS.

a. The shipment is to originate at New Orleans, Louisiana destined for Lugoff (Camden), SC.

b. The requirement for DOT exemption notation on shipping papers in 49 CFR 172.203(a) is waived.

c. The exemption number marking requirement in 49 CFR 172.302(c) is waived.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS. 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. 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.

Each "Hazmat employee", as defined in 49 CFR 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 49 CFR 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. (49 CFR 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 incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

OCT 30 1990

(DATE)

Alan I. Roberts
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.

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.

Dist: FRA
PO: Bill Schoonover