U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

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

APR 5 2005

DOT-E 13054

EXPIRATION DATE: March 31, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: CHS Transportation
(A division of Cenex Harvest Systems Cooperatives)
St. Paul, Minnesota

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of anhydrous ammonia and liquefied petroleum gases in DOT Specification MC 330 and MC 331 cargo tank motor vehicles which are equipped with calibrated float gauges for determining the liquid level of the lading. 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 § 173.315 (h) in that use of calibrated float gauges for determining the maximum liquid level permitted is not authorized, except as provided herein.

5. BASIS: This exemption is based on the application of CHS Transportation dated June 10, 2002, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identification Number**	**Packing Group**
Ammonia, anhydrous	2.2	UN1005	N/A
Liquefied petroleum gas	2.1	UN1075	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are approximately 350 DOT Specification MC 330 and MC 331 cargo tank motor vehicles.

b. OPERATIONAL CONTROLS -

(1) The maximum liquid level in a DOT Specification MC 330 and MC 331 cargo tank motor vehicle not loaded by weight is allowed to be determined by a calibrated float gauge provided each tank has a thermometer well for the determination of internal liquid temperature at time of loading.

(2) The temperature of the lading must be measured at time of loading and used to adjust the maximum filling density as specified in § 173.315(e).

(i) For anhydrous ammonia, the liquid level must not exceed a quantity adjusted to 60°F, corresponding to a maximum filling density of 56% by weight.

(ii) For liquefied petroleum gas, the liquid level must not exceed a quantity adjusted to 60°F, corresponding to the maximum filling density as specified in the table set forth in § 173.315(b).

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 modification or change is made to the package or its contents 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.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by 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.
- Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- 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 this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.

APR 5 2005
DATE

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety 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 on the internet at http://hazmat.dot.gov/exemptions.
Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: PTOlson