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

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

OCT 18 2001

DOT-E 11204
(FOURTH REVISION)

EXPIRATION DATE: September 30, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Vulcan Materials Company
Chemicals Division
Birmingham, Alabama
(Former grantee: Vulcan Chemicals)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes tank cars, containing a class 8 material, to remain standing with unloading connections attached when no product is being transferred. 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 § 172.302(c) in that marking requirements are waived; § 174.67(i) and (j).

5. BASIS: This exemption is based on Vulcan Materials Company's application of October 4, 2001, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description/proper shipping name	Hazard Class (Written Class) class number	Identification number	Packing Group
Hydrochloric acid	8	UN 1789	II

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7. SAFETY CONTROL MEASURES:

a. Packagings prescribed are DOT specification tank cars authorized for the material specified meeting all DOT specification requirements.

b. The marking requirements § 172.302(c) are waived.

c. In the absence of the unloader:

(1) the tank car and facility shutoff valves must be secured in the closed position;

(2) no product may be transferred; and

(3) the requirements of § 174.67(a)(2) and (3) apply.

(4) a sign must be placed on the tank car, in the vicinity of the unloading valves to warn personnel that the tank car may contain pressure. The holder may include other wording as necessary to ensure safety.

8. SPECIAL PROVISIONS: The facility operator must have written safety procedures on file at each location that uses this exemption. The facility operator must instruct each employee performing any function under this exemption on the contents of these procedures and ensure compliance with them. The written procedures must contain at least the following:

(1) A physical description of the facility including the address and hours of operation;

(2) Information on the contents of the tank car including:

(i) chemical or common name of the product,
(ii) health and physical hazards involved in handling the product,
(iii) emergency and first aid procedures;

(3) Procedures for securing the protective equipment including tank car brakes, safety signs, caution sign and wheel blocks.

(4) Procedures and limitations for movement of tank cars in the vicinity of the transfer facility.

(5) Procedural steps in the event of an emergency, including names and phone numbers of key personnel and public agencies to contact.

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. 5105 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR 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.

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. (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 inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Robert A. McGuire
for Associate Administrator
for Hazardous Materials Safety

OCT 18 2001
(DATE)

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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, SW, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: sln