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

AUG 4 2000

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

DOT-E 12530

EXPIRATION DATE: September 30, 2000

1. GRANTEE: Midwest Carbide
Pryor, OK

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of one rail flatcar equipped with intermodal containers transporting Calcium carbide, that exceed the maximum gross weight on rail by 1,700 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 § 172.302(c); § 173.24b (d)(2) and § 173.26.

5. BASIS. This emergency exemption is based on Midwest Carbide's application of August 3, 2000, submitted in accordance with § 107.117 and a determination that it is necessary in order to protect life and property.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/Division	Identification Number	Packing Group
Calcium carbide	4.3	UN1402	II

7. SAFETY CONTROL MEASURES:

a. PACKAGINGS: Packaging prescribed is as required in 49 CFR Part 173, Subpart B and § 173.242(a). The rail car number is MP 828080.

8. SPECIAL PROVISIONS: In accordance with § 172.203(a), the shipping paper used in connection with this shipment must bear the notation "DOT-E 12530" in association with the shipping description.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS:

a. A one-time transportation is only authorized from Fort Worth, Texas to Gardena, California, utilizing the most direct rail route possible.

b. Prior to transportation, the grantee must ensure that the rail car is inspected to determine that the car complies with all other applicable regulatory requirements and is in safe condition for transportation.

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.
- 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 unless a regulation has been amended making the exemption no longer necessary.

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 at Washington, D.C.:

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

AUG 4 2000
(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, SW, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: AM