

March 6, 2014



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 15968
(FIRST REVISION)

EXPIRATION DATE: April 30, 2014

1. GRANTEE: BNSF Railway
Fort Worth, TX
2. PURPOSE AND LIMITATION:
 - a. This emergency special permit authorizes the transportation of methane, refrigerated liquid, (LNG) in a non-specification package (tender car) attached to a locomotive but not supplying fuel to the locomotive. This permit authorizes a single movement of each of two tender cars identified in this special permit. The grantee must comply with all hazardous materials regulations applicable to DOT 113 specification tank car tanks except as specified herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation of these tender cars on the main lines described in this special permit. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation other than as a locomotive tender.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

March 6, 2014

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Hazardous Materials Table Column (9B) in that bulk packaging on rail is not authorized and § 172.302(c) in that the requirement that special permit number must be notated on each shipping paper is waived.
5. BASIS: This emergency special permit is based on the application of BNSF Railway dated December 19, 2013, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic impact.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Methane, refrigerated (liquid cryogenic liquid)	2.1	UN1972	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are non-DOT specification tank car tanks, originally constructed to the DOT 113C120W specification and modified for service as an LNG tender car. The modifications include the addition of heat exchange piping and valves. The design service temperature of the tender cars is -260°F. Reporting marks for tender cars operating under this special permit are BNSF933500 and BNSF933501.

b. OPERATIONAL CONTROLS:

1. This permit authorizes two tender car movements as indicated:

BNSF933500 -

Erie, PA (CSXT)/Chicago (BNSF) to Lincoln, NE
Lincoln, NE to Topeka, KS (BNSF Direct)
Topeka, KS to Lincoln, NE (BNSF Direct)
Lincoln, NE to Pueblo, CO (BNSF Direct)

BNSF933501 -

Topeka, KS to Lincoln, NE (BNSF Direct)
Lincoln, NE to Pueblo, CO (BNSF Direct)

2. The tender cars will contain 20,230 US gallons of LNG during the loaded movement. The tanks will be filled in accordance with paragraph 7.b.2. of this permit.

3. All requirements of § 173.319 for a DOT 113 specification tank must be met. The maximum start to discharge pressure of the pressure relief valve must be 160 psig. When loaded in Lincoln, NE, the maximum filling density must be in conformance with the requirements of § 173.318(f)(3) for methane, refrigerated liquid. During transportation, the operating tank pressure must be less than 100 psig.

4. A placard, conforming to § 172.532 requirements (FLAMMABLE GAS), must be placed on each end of the tender car.

5. All relevant safety information together with the SDS data must be shared by the grantee with the local emergency responders in those jurisdictions through which the tender cars will travel.

8. SPECIAL PROVISIONS:

a. A current copy of this special permit must be maintained at each facility where the package is offered for transportation.

b. Shipping papers for movement under this special permit must bear the notation "Do Not Hump or Cut-Off Car While in Motion."

c. Data on inner tank content pressures and temperatures and their average values from the beginning of the movement of the tender car on the railroads should be recorded daily, at approximately the same time every day. The data collected should be reported to FRA in a timely fashion.

d. If at any time during the movement of the tender car the average pressure rise per day is in excess of 3 psig, FRA must be informed immediately.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail Freight.

March 6, 2014

10. MODAL REQUIREMENTS:

a. A current copy of this special permit must be in the possession of a member of the train crew.

b. The grantee must notify the Associate Administrator for Railroad Safety, FRA, in writing, at the address provided in Section 12 two days prior to initiating the movement. Notification shall include the contact person, the date and time of movement initiation, the route to be followed, the carriers that will be handling the packages and the estimated arrival date and time of the tender car at the destination. In addition, notification of the arrival at destination must be provided, in writing, to the same address. The notification must also be emailed to specialpermits@dot.gov.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

March 6, 2014

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) - "The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit 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 special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any unusual incident involving a package, shipment or operation conducted under terms of this special permit at the address below.

Federal Railroad Administration
Hazardous Materials Division
RRS-12/Mail Stop 25
1200 New Jersey Avenue, SE
Washington, DC 20590
ATTN: Karl Alexy, Staff Director
202-493-6245, FAX: 202-493-6478

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie
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: PHH-31.

March 6, 2014

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at

http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm

Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: FRA:tg