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

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

DOT-E 12217
(FOURTH REVISION)

FEB 25 2003

EXPIRATION DATE: October 31, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Rescar Companies
Downers Grove, Illinois

(See Appendix A of this exemption for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain DOT specification tank cars equipped with a reduced thickness inspection port cover over the tank insulation. This exemption provides no relief from any Hazardous Materials Regulation (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 §§ 179.100-4(a); 179.200-4(a); 172.203(a); 172.302(c) in that the requirements for marking the exemption number on the shipping papers and on the tank cars are waived.

5. BASIS: This exemption is based on the application of Rescar Companies dated February 19, 2003 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

The hazardous materials description must be as provided in § 172.101 Table, an exemption issued under 49 CFR Part 107, or as prescribed in §§ 171.12 and 171.12a.

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT specification tank cars authorized for transportation of the materials as specified in 49 CFR Part 173.

b. MARKING - The marking requirements of §§ 172.203(a) and 172.302(c) are waived.

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 modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. Each inspection port must have a cover not less than 18 gauge (0.0478 inch) nominal metal thickness and a diameter of no greater than 7½ inches. The application of the cover must ensure that it will stay in place and provide a weather-tight seal until the next inspection.

c. Inspection ports removed from head shields for inspection purposes must be repaired to a condition equivalent to original construction.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: No additional requirements other than as a required in the HMR.

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.

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 incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

R. Ramp

FEB 25 2003

Robert A. McGuire
for Associate Administrator for
Hazardous Materials Safety

(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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: AT/KFW/sln