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

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

OCT 3 2002

DOT-E 12537
(THIRD REVISION)

EXPIRATION DATE: September 30, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: NorFalco LLC
Independence, OH

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

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain DOT specification 111A100W tank car tanks with an extended re-qualification interval for the tanks and the service equipment. The tanks will contain the Class 8 materials described in paragraph 6 below. 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 § 172.203(a) in that marking the shipping paper with the exemption number is waived; and § 180.509(1)(2) in that the requalification interval for tanks and service equipment is extended.

5. BASIS: This exemption is based on the application of NorFalco LLC dated August 19, 2002 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Sulfuric acid, *with more than 51% acid*	8	UN1830	II
Sulfuric acid, spent	8	UN1832	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are DOT specification 111A10W tank car tanks with reporting marks GATX 6101-6200, inclusive, GATX 6301-6400, inclusive, and PROX 16059-16315, non-inclusive, for tank cars built in 1995, on file with the applicant's application.

b. TESTING - Tank car tanks identified in paragraph 7.a. shall be re-qualified no later than December 31, 2005, in accordance with the provisions of § 180.509.

c. MARKING - Each tank car tank shall be marked "DOT-E 12537" in letters and numerals at least four inches high on a contrasting background above the specification markings. In addition, each tank car tank shall be stenciled with the next inspection interval, as specified in paragraph 7.b. above, in accordance with Appendix C of the Association of American Railroads Specification for Tank Cars, M-1002, dated January 1, 1996.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may re-offer it for transportation provided no modifications or changes are made to the package and it is re-offered 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 re-offered for transportation.

c. Notation of the exemption number on shipping papers as required in § 172.203(a) is waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: None, other than as required by 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.:

Ann Mazzullo

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

OCT 3 2002
(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: KB/AM