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

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

JUL 3 0 2003

DOT-E 12286
(SECOND REVISION)

EXPIRATION DATE: June 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: FMC Corporation
Philadelphia, Pennsylvania

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain DOT specification 111A60W7 tank car tanks with an extended requalification interval, used for the shipment of a Division 5.1 material. 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 §§ 172.203(a) and 180.509(k)(2) except as specified herein.

5. BASIS: This exemption is based on the application of FMC Corporation dated July 17, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Hydrogen peroxide, aqueous solutions *with more than 40 percent but not more than 60 percent hydrogen peroxide (stabilized as necessary)*	5.1	UN2014	II
Hydrogen peroxide, aqueous solutions *with not less than 20 percent but not more than 40 percent hydrogen peroxide (stabilized as necessary)*	5.1	UN2014	II
Hydrogen peroxide, stabilized, *or* Hydrogen peroxide aqueous solutions, stabilized, *with more than 60 percent hydrogen peroxide*	5.1	UN2015	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT specification 111A60W7 tank car tanks with reporting marks FMLX 17019 through FMLX 17113.

b. TESTING - Tank car tanks FMLX 17019 through FMLX 17067, inclusive, must be requalified no later than December 31, 2004 in accordance with the provisions of § 180.509. Tank car tanks FMLX 17068 through FMLX 17113, inclusive, must be requalified no later than December 31, 2005 in accordance with the provisions of § 180.509.

c. MARKING - Each tank car tank must be marked "DOT-E 12286" in letters and numerals at least four inches high on a contrasting background above the specification markings. In addition, each tank car tank must 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 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. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. The requirement to mark the exemption number on the shipping paper in § 172.203(a) is waived.

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. 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.:

JUL 3 0 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: SCHOONOVER/sln