

March 2, 2007



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 13078
(SECOND REVISION)

EXPIRATION DATE: January 31, 2011

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: E.I. DuPont de Nemours & Company
Wilmington, DE
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain Division 2.2 gases in approximately 198 DOT Class 112 and 114 tank cars without the use of head shields or thermal protection. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. Party status will not be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.203(a) and (g) in that additional information requirements for shipping papers are waived; and §§ 173.31(b)(3)(i), 173.31(b)(4)(i) and 179.18 in that the use of tank cars which do not meet the thermal protection or head shield requirements is not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of E.I. DuPont de Nemours & Company dated February 28, 2007, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Chlorodifluoromethane or Refrigerant gas R 22	2.2	UN1018	N/A
1-Chloro-1,2,2,2-Tetrafluoroethane or Refrigerant gas R 124	2.2	UN1021	N/A
Dichlorotetrafluoroethane or Refrigerant gas R 114	2.2	UN1958	N/A
1,1,1,2-Tetrafluoroethane or Refrigerant gas R 134a	2.2	UN3159	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are approximately 198 DOT 112 and 114 Specification tank cars which would not otherwise comply with the head shield or thermal protection requirements after July 1, 2006. The tank cars must be in dedicated service for refrigerant, dispersant and blowing agent gases.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

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

c. Each tank car operating under the terms of this special permit must be plainly and durably marked "DOT-SP 13078" in four-inch letters and numerals on a contrasting background above the DOT Specification designation.

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d. Within one month of the issuance of this special permit, DuPont must submit the serial numbers for all tank cars authorized under this special permit. The report must be submitted in writing to the Office of Hazardous Materials Special Permits and Approvals (OHMSPA) and must include the age of the cars and the material of construction (normalized or non-normalized).

e. DuPont must notify the OHMSPA when tank cars authorized under this special permit are removed from hazardous materials service. Reports of cars removed from service must be submitted in writing at least annually until no cars remain in service.

f. Tank cars constructed of TC128-B non-normalized steel must be removed from hazardous materials service by January 1, 2015. Continued shipment of non-normalized steel tank cars under this special permit will not be authorized beyond this date.

g. Packagings permanently marked 'DOT-E 13078', prior to October 1, 2007 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packagings marked on or after October 1, 2007 must be marked 'DOT-SP 13078'.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: The Federal Railroad Administration is to be notified if any unusual incident occurs during the movement by contacting the:

Federal Railroad Administration
Hazardous Materials Division
RRS-12, Mail Stop 25
1120 Vermont Avenue, NW
Washington, DC 20590

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.

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 incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Bob Richard
Deputy Associate Administrator
for Hazardous Materials Safety

March 2, 2007

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.

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/sln