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

SEP 10 1993

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

DOT-E 11113

EXPIRATION DATE: November 30, 1993

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: FMC Corporation, Philadelphia, Pennsylvania.

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of a Class 8 material meeting the definition of a poison inhalation material, in certain DOT Specification 105S300W tank cars with a safety relief device rated at 25 percent of the tank test pressure. This exemption provides no relief from any regulation other than as specifically stated.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 172.102 Special Provision B74

5. BASIS. This emergency exemption is based on Shaw, Pittman, Potts and Trowbridge's application on behalf of FMC Corporation dated August 23, 1993, submitted in accordance with 49 CFR 107.113, and a determination that it is necessary to prevent serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class or Division	Identification number	Packing Group
Phosphorus trichloride	8	UN1809	II

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are four DOT Specification 105S300W tank cars, ACFX 73873, ACFX 73874, ACFX 73877 and ACFX 73884, except that the tank cars are equipped with safety relief valves with a set-to-discharge pressure of 75 psig.

b. TESTING - Each tank car operating under the terms of this exemption shall be retested in accordance with the provisions of 49 CFR 173.31 as specified for DOT 105S300W tank cars.

c. MARKING

a. Each tank car operating under the terms of this exemption must be marked DOT-E 11113 in four inch letters on a contrasting background above the DOT Specification number.

b. Each tank car operating under the terms of this exemption must be restencilled to DOT 105S100W.

8. SPECIAL PROVISIONS.

a. Persons who receive packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with, and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. Tank cars operating under the terms of this exemption must be equipped with safety relief valves of the type and size required on DOT 105S100W tank cars.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS:

a. The Federal Railroad Administration (FRA) is to be notified if any unusual incident occurs during the movement by contacting the:

Federal Railroad Administration
Office of Safety, RRS-12
400 Seventh Street, S.W.
Washington, D.C. 20590
(202) 366-9178 or 366-0549

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 Hazardous Materials Transportation Act:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.

- Any use or application of this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect unless a regulation has been amended making the exemption no longer necessary.

- Registration required by 49 CFR 107.601 et seq., when applicable.

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 as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.)

Issued at Washington, D.C.:

SEP 10 1993

Alan I. Roberts
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.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Dist: FRA