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

AUG 19 1994

DOT-E 11272

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

EXPIRATION DATE: September 30, 1994

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Union Tank Car Company, Chicago, Illinois

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of a DOT Specification 111A100W1 tank car, containing a residue of a Class 3 material, which does not fully comply with all DOT requirements and provides no relief from any regulations other than as specifically stated.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.29(a); 173.31(a).

5. BASIS. This emergency exemption is based on Union Tank Car Company's application of July 12, 1994, submitted in accordance with 49 CFR 107.113, and a determination that it is necessary for the protection of life and property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class (Written Class) class number	Identification number	Packing Group
Naphtha (solvent)	3	UN 1256	III

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification 111A100W1 tank car, UTLX 201425, with a head puncture consisting of a 10 to 12 inch hole above the draft sill. Prior to offering for transportation, the damaged area of the tank must be repaired to prevent leakage of any residue of product.

b. TESTING - Tank car UTLX 201425 must be reinspected and retested prior to the tank car being refilled.

c. MARKING - Tank car UTLX 201425 must be marked "DOT-E 11272" in four inch letters and numerals on a contrasting background above the DOT specification number.

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d. MOVEMENT CONTROLS - Tank car UTLX 201425 must be moved as the last car of the train.

8. SPECIAL PROVISIONS.

a. Shipment of tank car UTLX 201425 is authorized from CSX Transportation, Louisville, Kentucky to Calvert City, Kentucky, a distance of approximately 207 miles and once cleaned and purged, from Calvert City, Kentucky, to Union Tank Car Company in Cleveland, Texas, a distance of approximately 924 miles utilizing the most direct route via CSX Transportation, Illinois Central, and Atchinson, Topeka, and Santa Fe.

b. 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.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS: The Federal Railroad Administration (FRA) is to be notified if any unusual incident occurs, such as derailment, 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 Federal hazardous materials transportation laws:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

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 unless a regulation has been amended making the exemption no longer necessary.

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.) In addition, the holder of this exemption must also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued at Washington, D.C.:

AUG 19 1994

(DATE)

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

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