U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

MAR 29 1991

DOT-E 10566

1. ICI Explosives Canada, North York, Ontario, Canada (U.S. agent: Atlas Powder Company, Joplin, Missouri) is hereby granted an emergency exemption from certain provisions of this Department's Hazardous Materials Regulations to offer a package prescribed herein of a corrosive material for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transportation of a DOT Specification 111A100ALW-2 tank car tank which has the one inch air connection valve assembly broken off above the manway plate. This exemption provides no relief from any regulations other than as specifically stated.

2. BASIS. This emergency exemption is based on ICI Explosives Canada's application of March 15, 1991, submitted in accordance with 49 CFR 107.113, and a determination that is necessary for the protection of life and property.

3. HAZARDOUS MATERIALS (Descriptor and class). Nitric acid, 40% or less, classed as a corrosive material.

4. PROPER SHIPPING NAME (49 CFR 172.101). Nitric acid, 40% or less.

5. REGULATION AFFECTED. 49 CFR 173.31(b)(1) and 173.29(c).

6. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed is a DOT Specification 111A100ALW-2 tank car tank (NATX 20114) meeting all DOT requirements (49 CFR Parts 100-299), except that the one inch air connection valve assembly is broken off above the manway plate.

(b) To prevent unauthorized entry and to prevent any unintentional release of product, the opening will be plugged with a non-AAR approved closure devise or "plumbers plug".

8. SPECIAL PROVISIONS.

a. Tank car must be marked "DOT-E 10566" in four inch letters on a contrasting background above the DOT Specification number.

b. Shipment of the tank car tank must be made between Natrium, West Virginia and Texarkana, Arkansas via the CSX-St. Louis-UP-Texarkana, Arkansas, a total distance of approximately 944 miles.

c. The Federal Railroad Administration (FRA) is to be notified if any unusual incident, such as a derailment or exterior tank damage, 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

d. 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. REPORTING REQUIREMENTS: Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable.

10. EXPIRATION DATE. June 30, 1991.

Issued at Washington, D.C.

MAR 29 1991
(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, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: FRA.