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

MAR 19 1993

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

DOT-E 10934

EXPIRATION DATE: February 28, 1995

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: LaRoche Industries, Inc., Atlanta, Georgia.

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of a Division 5.1 or Class 8 material in tank car tanks conforming to a DOT Specification 105J100W or 105J200W except that they are constructed from ASTM A240 T316L stainless steel, 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 Sections: Paragraph (2) of Appendix B to Subpart B of Part 107, 172.203(a), 173.242(a), 173.243(a), 179.100-7(a), 179.101-1(a).

5. BASIS. This exemption is based on LaRoche Industries, Incorporated's application of November 18, 1992, submitted in accordance with 49 CFR 107.103, and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class (Written Class) class number	Identification number	Packing Group
Ammonium nitrate, liquid (hot concentrated solution)	Division 5.1	UN 2426	NA
Nitric acid other than red fuming, with not more than 70 percent nitric acid	Class 8	UN 2031	II

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7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed conform to DOT 105J100W or DOT 105J200W specification tank car tanks, except that the tank is manufactured from ASTM A240 T316L stainless steel pressure vessel plate. Each tank car is fitted with full head shields.

b. TESTING - Each tank car tank must be tested and inspected as required for DOT 105J100W or DOT 105J200W specification tank car tanks.

c. MARKING - Each tank car tank must be marked DOT-E 10934 in four inch letters on a contrasting background above the DOT Specification number.

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. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all applicable requirements contained in 49 CFR Parts 171-180.

c. The marking requirements contained in paragraph (2) to Appendix B to Subpart B of Part 107 and in § 172.203(a) pertaining to the marking of the exemption number on shipping papers for shipments made under this exemption are waived.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS: No special requirement as a condition of this exemption.

11. COMPLIANCE. Failure by a person, operating under the authority of this exemption, to comply with a term or condition prescribed herein or any applicable regulation of 49 CFR Parts 106, 107 and 171-180 may result in suspension of this exemption and may subject the person to enforcement action. Continued use of this expiration after it's expiration date may result in an enforcement action.

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. (49 CFR 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 incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

MAR 19 1993
(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.

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