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

SEP 11 1995

DOT-E 11500

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

EXPIRATION DATE: October 5, 1995

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Sherritt, Inc. of Fort Saskatchewan, Alberta, Canada (U.S. Agent: The McGregor Company, Oaksdale, WA)

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of a DOT Specification 112J340W tank car, containing a partial load of a class 2.3 material (Canadian corrosive gas), 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 173.31(a)

5. BASIS. This emergency exemption is based on Sherritt, Incorporated's application dated September 1, 1995, 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 |
|---|---|---|---|
| Ammonia, anhydrous, liquified | 2.3 | UN 1005 | N\A |

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification 112J340W tank car, PLMX 4121, with a defective "B" end liquid line which has been secured with a valve plug to prevent leakage during transportation.

b. MARKING - Tank car PLMX 4121 must be marked DOT-E 11500 in four inch letters on a contrasting background above the DOT specification number.

SEP 11 1995



8. SPECIAL PROVISIONS. Shipment of tank car PLMX 4121 is authorized on the Burlington Northern Railroad between Oaksdale, Washington, to Transisco Rail Car service in Miles City, Montana, a distance of approximately 600 miles.

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
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 law 49 U.S.C. 5101 et seq:

- 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.

Any use or application of this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

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 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.:

SEP 11 1995

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.

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