U.S. Department
of Transportation

**Research and
Special Programs
Administration**

NOV 30 1995

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

DOT-E 11603

EXPIRATION DATE: January 1, 1996

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Union Pacific Railroad Company
Omaha, Nebraska

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation, in commerce, of a DOT Specification 112J340W tank car, containing a division 2.2 material, meeting all DOT requirements except that the tank car has a defective thermometer well. This exemption 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); 173.24(b); 179.100-13(c); 173.29(a); 174.3; 174.50(a); 172.302(c); and provision (1) of the paragrapgh entitled Packages, Containers, Shipments of Appendix B to Subpart B of Part 107.

5. BASIS. This emergency exemption is based on Union Pacific Railroad Company's application of November 28, 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/ Division**	**Identification number**	**Packing Group**
Ammonia, anhydrous, liquefied *or* Ammonia solutions *relative density less than 0.880 at 15 degrees C in water, with more than 50 percent ammonia*	2.2	UN 1005	N/A

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification 112J340W tank car, TILX 300439, meeting all DOT specification requirements except that the tank car has a defective thermometer well which is unrepairable in the present location. The well cover has been secured by a double gasket/clamp arrangement to prevent the release of product.

b. MARKING - The marking requirements specified in 172.302(c) and provision (1) of the paragraph entitled Packages, Containers, Shipments of Appendix B to Subpart B of Part 107 are waived.

8. SPECIAL PROVISIONS. Shipment of tank car TILX 300439 is authorized from Union Pacific Railroad Company's North Platte Yard, North Platte, Nebraska, to Berwind Railway Services, Neodesha, Kansas, a distance of approximately 500 miles utilizing the most direct route available via Union Pacific Railroad Company.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS: The Federal Railroad Administration is to be notified if any unusual incident occurs, such as derailment or exterior tank car damage, during the movement by contacting the:

Federal Railroad Administration
Office of Safety Enforcement, RRS-12
Hazardous Materials Division
400 Seventh Street, S.W.
Washington, D.C. 20590
(202) 366-9252 or 366-0509

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 Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR 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.

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 of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipment made under the terms of this exemption.

Issued at Washington, D.C.:

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

NOV 30 1995
(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