U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUL 2 1998

DOT-E 12108

EXPIRATION DATE: July 31, 1998 or upon completion of one shipment, whichever occurs earlier.

1. GRANTEE: Jones Chemicals, Inc.
LeRoy, New York

2. PURPOSE AND LIMITATION:

   a. This emergency exemption authorizes the one-time transportation in commerce of chlorine in a DOT specification MC-331 cargo tank which developed a leak in a gas valve. An emergency "C" kit has been installed to prevent leakage during transportation. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.

   b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.24(b)(1),173.24(f) and 173.315(O)(1) and (2), and 177.840(f).

5. BASIS: This emergency exemption is based on the application of Jones Chemicals, Inc. dated June 30, 1998, submitted in accordance with 49 CFR 107.117 and a determination that the exemption is necessary for the protection of life and property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Chlorine	2.3	UN1017	hazard zone B

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT specification MC-331 cargo tank (vehicle number 5131) which developed a leak in a gas valve. The cargo tank is equipped with an emergency "C" kit to prevent leakage during transportation.

b. MARKING - The cargo tank must be marked "DOT-E 12108" in four-inch letters and numerals on a contrasting background above the DOT specification number.

8. SPECIAL PROVISIONS:

a. Two emergency response team members will accompany the shipment equipped with emergency equipment. Transportation must follow a planned route that avoids populated areas.

b. The DOT specification MC-331 cargo tank will be transported by Montgomery Tank Lines from Philadelphia, Pennsylvania to Warwick, New York, a distance of approximately 123 miles.

c. The cargo tank must not be placed back into service prior to repair of the defective valve.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard the motor vehicle used to transport packages covered by this exemption.

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. 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.

Each "Hazmat employee", as defined in 49 CFR 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by 49 CFR 172.700 through 172.704.

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(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

JUL 2 1998

(DATE)

for 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.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, Washington, DC

20590-0001, Attention: Docket Section, 202-366-5046.

Dist: FHWA
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