DEC 30 1994

U.S. Department of Transportation

Research and Special Programs Administration

DOT-E 11370

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

EXPIRATION DATE: February 28, 1995

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Hoechst Celanese Chemical Corporation, Dallas, Texas

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the shipment of a DOT Specification 111A100W1 tank car, containing a residue of a Class 3 material, 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 173.29(c)(2); 173.31(a).

5. BASIS. This emergency exemption is based on Hoechst Celanese Chemical Corporation's application of December 30, 1994, 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
Formaldehyde, solutions	3	UN 1198	III

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT specification 111A100W1 tank car, CELX 3219, with a shell leak above the "B" end draft sill. The point of failure has been plugged to prevent leakage of any residue of product.

b. TESTING - Tank car CELX 3219 must be reinspected and retested prior to the tank car being refilled.

c. MARKING - Tank car CELX 3219 must be marked DOT-E 11370 in four inch letters and numerals on a contrasting background above the DOT Specification number.

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d. MOVEMENT CONTROLS - Tank car CELX 3219 must be moved on flatcar CR 725563. The tank car must be secured to prevent movement in any direction.

8. SPECIAL PROVISIONS.

a. Shipment of tank car CELX 3219 is authorized from Consolidated Rail Corporation's railyard, Selkirk, New York, to Rescar, Channelview, Texas, a distance of approximately 1700 miles utilizing the most direct route via Consolidated Rail Corporation and Union Pacific Railroad Company.

b. 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. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS:

a. The Federal Railroad Administration (FRA) is to be notified if any unusual incident occurs during the movement by contacting the:

Federal Railroad Administration
Office of Safety, 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. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- Any use or application of this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect unless a regulation has been amended making the exemption no longer necessary.

- Registration required by 49 CFR 107.601 et seq., when applicable.

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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued at Washington, D.C.:

DEC 30 1994

(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.

Dist: FRA