JUN 30 1995

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

DOT-E 11496

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

EXPIRATION DATE: July 30, 1995

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Rhone-Poulenc, Inc., Shelton, Connecticut

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation, in commerce, of a DOT Specification 111A100W2 tank car, containing a residual amount of a class 8 material, meeting all DOT requirements except that the tank car has a defective safety relief valve which is equipped with a solid cap to prevent emission of corrosive vapors. 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 173.29(a), and 179.200-18;

5. BASIS. This emergency exemption is based on Rhone-Poulenc, Incorporated's application dated June 30, 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
Sulfuric acid, fuming	8	UN 1831	I

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification 111A100W2 tank car, UTLX 11118, with a defective safety relief valve which has been secured with a solid cap to prevent to emission of corrosive vapors.

b. TESTING - The safety relief valve for tank car UTLX 11118 must be retested prior to the tank car being refilled.

c. MARKING - Tank car UTLX 11118 must be marked DOT-E 11496 in four inch letters on a contrasting background above the DOT specification number.

8. SPECIAL PROVISIONS.

a. Shipment of tank car UTLX 11118 is authorized from Houston, Texas, to a repair shop also located in Houston, Texas, a distance of approximately 6 miles, utilizing the most direct route via the Port Terminal Railroad Association.

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 is to be notified if any unusual incident occurs, such as exterior tank car damage or derailment 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 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 unless a regulation has been amended making the exemption no longer necessary.

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.:

JUN 30 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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