U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

SEP 17 1997

DOT-E 11959

EXPIRATION DATE: October 31, 1997

1. GRANTEE: Nucor Steel
Mt. Pleasant, South Carolina

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of a hopper-type rail car in which the material being transported exceeds the load limit stenciled on the car. 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 173.24b (d)(2).

5. BASIS. This emergency exemption is based on Nucor Steel's application of September 9, 1997, submitted in accordance with 49 CFR 107.117 and a determination that it is necessary to preclude a serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/Division**	**Identification Number**	**Packing Group**
Hazardous Waste Solid, N.O.S.	Class 9	NA3077	III

7. PACKAGING(S) AND SAFETY CONTROL MEASURES: Packaging prescribed is a covered hopper-type rail car (CAR number ACFX 48371) as authorized in 49 CFR Part 173. Subpart B. The hazardous waste loaded in the rail car exceeds the maximum weight of lading stenciled on the car by 3,000 lbs.

8. SPECIAL PROVISIONS. The car will be moved via CSX Transportation from Hamlet, N.C. to Oregon, Ohio, a distance of approximately 700 miles.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS. None as a requirement of 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.

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may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

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.

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.:

SEP 17 1997

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.

Dist: FRA