U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 10724 (EXTENSION)
ORIGINAL December 16, 1992

In accordance with 49 CFR 107.113 of the Department of Transportation (DOT) Hazardous Materials Regulations (HMR), DOT-E 1-724 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to **November 30, 1996.** All other terms of the exemption remain unchanged.

This emergency extension, which will prevent serious economic loss applies only to the party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.113. This emergency extension constitutes a necessary part of this exemption and must be attached to it. This emergency extension is not retroactive.

This emergency extension does not resolve proceedings which may be initiated by the Office of Chief Counsel, Research and Special Programs Administration concerning operations which occurred between September 30, 1994, and the issue date of this emergency extension, which were not in compliance with the HMR, and which were no longer authorized by any exemption.

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

DEC 27 1994
(DATE)

Dist: FRA

| EXEMPTION HOLDER | APPLICATION DATE |
|---|---|
| Buffalo Sewer Authority Wastewater Treatment Plant<br>Fuffalo, New York | December 21, 1994 |

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

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

DOT-E 10724 (EXTENSION)
ORIGINAL December 16, 1992

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10724 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to September 30, 1994. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.105. This extension constitutes a necessary part of this exemption and must be attached to it.

J. Suzanne Hedgepeth
Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

DEC 27 1993
(DATE)

Dist: FRA

| EXEMPTION HOLDER | APPLICATION DATE |
|---|---|
| Buffalo Sewer Authority Wastewater Treatment Plant<br>Buffalo, NY | November 3, 1993 |

ADVISORY

IF YOU ARE A HOLDER OF AN EXEMPTION THAT AUTHORIZES THE USE OF A PACKAGING WITH A MAXIMUM CAPACITY LESS THAN 450 L (119 GALLONS) OR A MAXIMUM NET MASS LESS THAN 400 KG (882 POUNDS), PLEASE BE ADVISED THAT YOUR EXEMPTION MAY NOT BE RENEWED BEYOND SEPTEMBER 30, 1996. IN ADDITION, NO NEW CONSTRUCTION OF PACKAGINGS WHICH FALL WITHIN THE NON-BULK CAPACITIES LISTED ABOVE ARE AUTHORIZED AFTER SEPTEMBER 30, 1994. THIS IS CONSISTENT WITH THE IMPLEMENTATION OF THE NEW PACKAGING REQUIREMENTS ADOPTED UNDER DOCKET HM-181. ANY APPLICATION SUBMITTED TO THIS OFFICE TO RENEW AN EXEMPTION BEYOND THE SEPTEMBER 30, 1996 DATE WILL BE DENIED UNLESS THE APPLICATION CONTAINS SUPPORTING INFORMATION TO JUSTIFY THE CONTINUATION OF THE EXEMPTION.

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

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

DEC 16 1992

DOT-E 10724

1. Buffalo Sewer Authority, Buffalo, New York, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations subject to the limitations and special requirements specified herein. This exemption authorizes tank cars, containing hazardous materials identified in paragraph 3, to remain standing with unloading connections attached when no product is being transferred, and provides no relief from any regulations other than as specifically stated.

2. BASIS. This exemption is based on Buffalo Sewer Authority's application of December 5, 1991, submitted in accordance with 49 CFR 107.103, and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Chlorine, classed as a Nonflammable gas.

4. PROPER SHIPPING NAME (49 CFR 172.101). Chlorine.

5. REGULATION AFFECTED. 49 CFR Part 107, Appendix B; 174.67(i) and (j).

6. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

7. SAFETY CONTROL MEASURES.

a. The facility operator shall designate an employee responsible for on-site monitoring of the transfer facility in the absence of the unloader. The designated employee must be made familiar with the nature and properties of the product contained in the tank car, procedures to be followed in the event of an emergency; and, in the event of an emergency, have the ability and authority to take necessary corrective actions.

b. When a signalling system is used (including a monitoring system or a sensing device), the system must be capable of alerting the designated employee in the event of an emergency and providing immediate notification of any malfunction. (For recommendations on the selection, installation and maintenance of signalling systems see NFPA 72 - Installation, Maintenance and Use of Protective Signalling Systems.)

c. In the absence of the unloader:

(i) the tank car and facility shutoff valves must be secured in the closed position;

(ii) no product may be transferred; and

(iii) the requirements of 49 CFR 174.67(a)(2) and (3) apply.

d. The transfer facility shutoff valve shall be located as close as practicable to the point of connection between the transfer system and the tank car and in a manner that will minimize the release of product in the event of hose rupture or separation. The facility operator must take appropriate steps to prevent rupture of transfer hoses due to product expansion (i.e. liquid expansion chambers or hoses with an increased minimum burst pressure rating.)

e. The facility operator must have on file, at each location using this exemption, a current copy of the Chlorine Institute's Pamphlets 6, 57 and 66 for information on employee training and safety, emergency measures and recommended procedures for the installation of piping systems and emergency shut off facilities.

f. The facility operator must establish and maintain liaison with fire, police and other appropriate public officials to learn the responsibilities and resources of each governmental agency that may be called upon to respond to an emergency involving the tank car and transfer facility and acquaint the officials with the facility's capabilities and procedures in the event of an emergency.

8. SPECIAL PROVISIONS.

a. Any manually operated switch providing access to the track on which the equipment is located must be lined against movement to that track and locked with an effective locking device operable only by a representative of the facility.

b. The facility operator shall install a bi-directional derail in an effective location (at least 50 feet when possible) from the end of the equipment to be protected by the caution sign. The person performing the unloading operation shall lock the device in the derailing position with an effective locking device operable only by a representative of the facility.

c. The facility operator shall have written safety procedures on file at each location that uses this exemption. The facility operator shall instruct each employee performing any function under this exemption on the contents of these procedures and ensure compliance with them. The written procedures must contain at least the following:

(i) A physical description of the facility including the address and hours of operation.

(ii) A drawing of the transfer facility showing natural and manmade barriers, locations of protective equipment (i.e. derail and caution sign), locations of emergency equipment and locations of signalling equipment.

(iii) Procedures for monitoring the transfer facility [see paragraphs 7(a) and (b)].

(iv) Information on the contents of the tank car including:

(a) chemical or common name of the product
(b) health and physical hazards involved in handling the product
(c) emergency and first aid procedures

(v) Procedures for securing the transfer facility and protective equipment including derail, switch locks, tank car brakes, caution sign and wheel blocks.

(vi) Equipment available for employee safety and procedures for using the equipment.

(vii) Procedures and limitations for movement of tank cars in the vicinity of the transfer facility.

(viii) Testing and maintenance of system components including signalling systems.

(ix) Training requirements for designated employees responsible for monitoring the transfer facility.

(x) Procedural steps in the event of an emergency, including names and phone numbers of key personnel and public agencies to contact.

(xi) Procedures for reviewing incidents to determine whether the written procedures require revision or modification to prevent future occurrences and amending those procedures when the review necessitates changes.

d. The marking requirements of Appendix B to Subpart B of Part 107 are waived.

9. REPORTING REQUIREMENTS. Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.)

10. EXPIRATION DATE. September 30, 1993.
Issued at Washington, D.C.:

DEC 16 1992

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: Exemptions Program.

Dist: FRA.