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

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

MAY 15 1992

DOT-E 10780

1. E.I. du Pont De Nemours and Company, Inc., Wilmington, Delaware, is hereby granted an emergency exemption from certain provisions of this Department's Hazardous Materials Regulations to offer a package prescribed herein of a Class 6.1 for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes a one-time shipment of seven Association of American Railroads (AAR) proposed DOT specification 120A400W tank cars, and provides no relief from any regulations other than as specifically stated.

2. BASIS. This emergency exemption is based on E.I. du Pont de Nemours and Company's application of May 12, 1992, submitted in accordance with 49 CFR 107.113, and a determination that it is necessary to preclude serious economic loss.

3. HAZARDOUS MATERIALS (Descriptor and class). Ortho-nitrochlorobenzene, classed as a 6.1 material.

4. PROPER SHIPPING NAME (49 CFR 172.101). Ortho-nitrochlorobenzene.

5. REGULATION AFFECTED. 49 CFR 173.346(a)(10).

6. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

7. SAFETY CONTROL MEASURES. Packagings prescribed are AAR proposed DOT specification 120A400W tank cars meeting all AAR proposed requirements, except that the tank car tanks and safety valves are overdue for tests. The reporting marks of tank cars covered by this exemption are on file with the Associate Administrator for hazardous Materials Safety.

8. SPECIAL PROVISIONS.

a. Tank cars must be marked DOT-E 10780 in four inch letters on a contrasting background above the DOT Specification number.

b. Shipment must be between E.I. du Pont de Nemours and Company, Deepwater, New Jersey, and the Port of Bayport, Texas, and return using the most direct route via Consolidated Rail Corporation, Saint Louis and Southwestern Railroad and Southern Pacific Transportation Company.

c. The Federal Railroad Administration (FRA) is to be notified if any unusual incident, such as a derailment or exterior tank damage, occurs 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

d. 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. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package must be reported 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.)

10. EXPIRATION DATE. June 30, 1992.

Issued at Washington, D.C.

MAY 15 1992

Sol J. Suzanne Hedgepeth
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, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Program.

Dist: FRA.