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

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

DOT-E 10959

EXPIRATION DATE: June 20, 1993

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Marsulex Incorporated, North York, Ontario (U.S. Agent - Marsulex incorporated, Norwalk, Connecticut)

2. PURPOSE AND LIMITATION: This exemption authorizes the one-time shipment of four DOT Specification 111A100W2 tank cars, containing the residue of a Class 8 material, meeting all DOT requirements except that the tank and safety valve are overdue for retest 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 173.31(c) and 173.29(c)(2)

5. BASIS. This exemption is based on Marsulex Incorporated's applications of January 5, 1993 and supplemental information dated January 7, 1993, submitted in accordance with 49 CFR 107.103, and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class	Identification number	Packing Group
Sulfuric acid	Class 8	UN 1830	II

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. Packagings prescribed are DOT specification 111A100W2 tank cars, UTLX 125003, UTLX 1618, PROX 13709 and CGTX 70504, meeting all DOT requirements (49 CFR Parts 100-299), except that the tank car tank and safety relief valve are overdue for tests.

b. MARKING - Tank cars must be marked DOT-E 10959 in four inch letters on a contrasting background above the DOT Specification number.

8. SPECIAL PROVISIONS.

a. Transportation for each respective tank car is authorized as follows:

1. UTLX 125003 - From International Paper, Ticonderoga, New York, to Procor Limited, Montreal, Canada. Routing for the shipment is designated as DH-Rouses Point-CPR-St. Luc-CN.

2. UTLX 1618 - From IMC Fertilizer, Americus, Georgia, to Procor Limited, Montreal, Canada. Routing for the shipment is designated as NS-Buffalo-CN.

3. PROX 13709 - From Marsulex c/o Gless Brothers, Ottumwa, Iowa, to Procor Limited, Edmonton, Alberta. Routing for this shipment is designated as SOO-North Portal-CPR.

4. CGTX 70504 - From Marsulex, Incorporated, River Rouge, Michigan, to Canadian General Transit, Riviere Des Prairie, Canada. Routing for this shipment is designated as CR-Detroit-CN.

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 such as derailment or exterior 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

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 Hazardous Materials Transportation Act:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 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.:

MAY - 6 1993

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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