U.S. Department
of Transportation

**Research and
Special Programs
Administration**

MAY 13 1993

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

DOT-E 11015

EXPIRATION DATE: June 7, 1993

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Vulcan Chemical Company, Wichita, Kansas.

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of a DOT Specification 105A500W tank car, containing a Division 2.3 material, meeting all DOT requirements except that the tank car has a defective safety relief valve and chlorine "C" kit attached. This exemption provides no relief from any regulations other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.31(b)(3); 179.100-12(c); 179.100-13; and 179.102-2.

5. BASIS. This emergency exemption is based on Vulcan Chemical Company's application of May 6, 1993, 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
Chlorine	2.3	UN 1017	N/A

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT specification tank car, UTLX 28269, with a defective safety relief valve which has been equipped with a chlorine "C" kit to prevent emission of chlorine vapors.

b. The manway protective housing cover, while opened, must be chained or otherwise fastened so that it cannot change position during transportation.

c. TESTING - The safety relief valve for tank car UTLX 28269 must be retested prior to the tank car being refilled.

d. MARKING - Tank car UTLX 26289 must be marked "DOT-E 11015" in four inch letters on a contrasting background above the DOT specification number.

8. SPECIAL PROVISIONS.

a. Shipment of tank car UTLX 28269 is authorized from Van Waters and Rogers, Wichita, Kansas, to Vulcan Chemical Company, Witchita, Kansas, a distance of approximately 20 miles utilizing the most direct route via the Atchison, Topeka and Santa Fe Railway Company and The Kansas Southwestern Railroad.

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: Not as a condition 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 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 it 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.

a. 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.

b. The Federal Railroad Administration is to be notified if any unusual incident, such as derailment or exterior tank car 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

Issued at Washington, D.C.:

MAY 13 1993

(DATE)

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

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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