SEP - 9 1993

U.S. Department of Transportation
Office of the Secretary of Transportation

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

DOT E-11026

EXPIRATION DATE: September 30, 1993

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Elf Atochem North America, Incorporated
Philadelphia, Pennsylvania

2. PURPOSE AND LIMITATION: This exemption authorizes the shipment of a DOT Specification 105A500W tank car, containing a Division 2.3 material, meeting all DOT requirements except that the tank and the safety relief valves are overdue for the required periodic retest. 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 173.29(c)(2) revised as of October 1, 1990; § 173.29(a) revised as of October 1, 1992; § 173.31(c)(1)

5. BASIS. This exemption is based on Elf Atochem North America, Incorporated's application of May 12, 1993, submitted in accordance with 49 CFR 107.103 and the public proceedings thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous materials description/proper shipping name | Hazard Class (Written Class) class number | 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 105A500W tank car, ACFX 19034, which meets all DOT packaging requirements (49 CFR 100-199), except that the tank car is overdue for the required periodic retest.

b. MARKING - Tank car ACFX 19034 must be marked "DOT-E 11026" in four inch letters on a contrasting background above the DOT Specification number.

8. SPECIAL PROVISIONS.

a. Shipment of tank car ACFX 19034 is authorized from Ashta Chemicals, Ashtabula, Ohio, to United Rail Shop, East Chicago, Indiana, a distance of approximately 500 miles via routing of CR-East Chicago-IHB to destination.

b. Persons who receive packages covered by this exemption may re-offer 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 re-offering occurs.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS: None 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 Federal Railroad Administration (FRA) 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

b. The carrier is required to report any incident involving loss of packaging contents or packaging failure 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.)

Issued at Washington, D.C.:

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(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.

Dist: FRA