JUN 23 1994

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

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

DOT-E 11175
(FOURTH REVISION)

EXPIRATION DATE: August 22, 1994

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Gabriel Chemicals, Incorporated
Houston, Texas

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the shipment of a class 8 material, meeting the definition of a material poisonous by inhalation, in certain DOT Specification 111A60W7 tank cars. This emergency exemption provides no relief from any regulation other than as specifically stated.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 172.102 Special Provision B74 and 173.244(a).

5. BASIS. This emergency exemption is based on Gabriel Chemical, Incorporated application dated November 17, 1993, supplemental information dated November 19, 1993, November 23, 1993, November 24, 1993, November 30, 1993, December 1, 1993, December 21, 1993, March 23, 1994, April 6, 1994, April 25, 1994, May 17, 1994 and a determination that it is necessary to prevent serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class or Division	Identification number	Packing Group
Chlorosulfonic acid	8	UN 1754	I

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. Packaging - Packagings prescribed is a DOT 111A60W7 tank car, GATX 27507, meeting all DOT requirements applicable to DOT 111A60W7 tank cars. Prior to the first shipment under this exemption, Gabriel Chemicals, Incorporated shall have installed on tank car GATX 27507:

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i. a tank head puncture resistance system complying with §179.105-5 or §179.200-27; and

ii. a reclosing safety relief device having a start-to-discharge pressure of 165 psig.

b. Testing - Prior to the first shipment under the terms of this exemption, tank car GATX 27507 must receive a stub sill inspection according to FRA Emergency Order 17.

c. Marking

i. Tank car GATX 27507 must be marked DOT-E 11175 in four inch letters on a contrasting background above the DOT Specification number.

ii. Tank car GATX 27507 must be marked "DO NOT HUMP OR CUT OFF CAR OFF WHILE IN MOTION" in six inch letters on a contrasting background near the middle of the tank car.

8. SPECIAL PROVISIONS.

a. Prior to the first shipment under the terms of this exemption, Gabriel Chemicals, Incorporated shall transmit a statement from the tank car manufacturer confirming order placement and a certifying statement from Gabriel confirming order placement for new DOT specification tank cars complying with the current Hazardous Materials Regulations, or with DOT-E 11142, to the Federal Railroad Administration (FRA) at the address listed below:

Federal Railroad Administration
Office of Safety Enforcement
Hazardous Materials Division, RRS-12
400 Seventh Street, S.W.
Washington, D.C. 20590
(202) 366-9178 or 366-0549
(facsimile 202-366-7136)

b. Prior to the first shipment under the terms of this exemption, Gabriel Chemicals, Incorporated must provide the FRA, at the address shown above, with the appropriate AAR forms for the modifications specified in paragraph 7.a.

c. Prior to the end of each month this exemption is in effect, the applicant must provide the FRA, at the address shown above, with the status of tank car GATX 27507, including location, and car movement information concerning the shipments made during the previous month.

d. Each shipping paper for a tank car operating under the terms of this exemption must contain the following notation "DO NOT HUMP OR CUT OFF CAR WHILE IN MOTION."

e. Prior to the first shipment, Gabriel Chemical Company must inform the rail carriers as to the operating requirements that apply under the terms of this exemption. The rail carriers must acknowledge receipt of the exemption through an appropriate official and each must agree to comply with the terms of this exemption.

f. Tank car shipments are authorized on the Illinois Central Railroad Company between Gabriel Chemicals, Incorporated, Geismar, Louisiana and New Orleans, Louisiana, and on the Southern Pacific Transportation Company between New Orleans, Louisiana, and Lonza Incorporated, Long Beach, California, a total distance of approximately 1200 miles.

g. Shipments are authorized on a frequency not less than 30 days. A maximum of three shipments are authorized under the terms of this exemption.

h. Tank car movements under the terms of this exemption must not exceed 35 mph.

i. Tank car GATX 27507 may not be allowed to roll under their own momentum, nor be coupled into with more force than necessary to complete the coupling.

j. Tank car GATX 27507 must be placed as close to the rear of the train as possible but may not be placed as the last car in any train and no closer than six cars from an occupied caboose or locomotive.

k. 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.

l. Upon notification by the carrier, of any incident involving these shipments that may result in the release of product, such as a derailment, the applicant shall immediately place into effect the emergency response procedures outlined in the application and ensure that personnel are directed to the scene.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS:

a. The Federal Railroad Administration (FRA) is to be notified if any unusual incident occurs during the movement by contacting:

Federal Railroad Administration
Office of Safety Enforcement
Hazardous Materials Division, RRS-12
400 Seventh Street, S.W.
Washington, D.C. 20590
(202) 366-9178 or 366-0549

b. Each member of a train crew transporting these shipments shall be furnished with the Material Safety Data Sheet for this material.

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, 49 CFR Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

No person may use or apply 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.

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 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.:

JUN 23 1994

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

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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