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

SEP 1 1995

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

DOT-E 11369
(SECOND REVISION)

EXPIRATION DATE: April 30, 1997

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Sun Company, Incorporated, Philadelphia, Pennsylvania

2. PURPOSE AND LIMITATION: This exemption authorizes the use of petroleum oil for the hydrostatic test of certain DOT Specification 111A100W1 tank cars, 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)(2).

5. BASIS. This exemption is based on Sun Company Incorporated's application of April 7, 1995, and supplemental letter dated April 20, 1995 submitted in accordance with 49 CFR 107.105.

6. HAZARDOUS MATERIALS (49 CFR 172.101): The proper shipping description authorized under the terms of this exemption shall be as specified in 49 CFR Subpart B of Part 172, an exemption issued under 49 CFR Subpart B of Part 107, or as authorized in accordance with 49 CFR 171.12 or 49 CFR 171.12a.

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are DOT specification 111A100W1 tank cars, meeting all applicable DOT specification requirements except that the tanks have been hydrostatically tested using petroleum oil.

b. TESTING - The hydrostatic test shall be conducted in accordance with the provisions of 173.31(c)(2) utilizing petroleum oil with a viscosity similar to that of water.

c. MARKING - Each tank car operating under the terms of this exemption shall be marked "DOT-E 11369" in a contrasting color and letters and numerals at least 4" high above the specification marks.

8. SPECIAL PROVISIONS.

a. Prior to the hydrostatic test, each tank car tank must receive a complete internal visual inspection. The tank car tank must pass the visual inspection prior to filling with the petroleum oil.

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 rail carrier must inform the Federal Railroad Administration of any unusual incident, such as a derailment or tank car damage, that occurs during the transportation of any tank car operating under the terms of this exemption by contacting the:

Federal Railroad Administration
Office of Safety Enforcement, RRS-12
Hazardous Materials Division
400 Seventh Street, S.W.
Washington, D.C. 20590
(202) 366-9252 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 Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq.:

- 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 (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.:

SEP 1 1995

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.

Dist: FRA