MAY - 9 1995

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

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

DOT-E 11463

EXPIRATION DATE: June 15, 1995

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Consolidated Rail Corporation
Philadelphia, Pennsylvania

2. PURPOSE AND LIMITATION: This emergency 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 car is not equipped with a complete thermal insulation system due to an accident. 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 173.31(a); 173.314(c); and 179.105-4.

5. BASIS. This emergency exemption is based on Consolidated Rail Corporation's application of May 8, 1995, 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 1007	N/A

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT specification 105A500W tank car, ACFX 85386, with an incomplete thermal protection system.

b. MARKING - Tank car ACFX 85386 must be marked "DOT-E 11463" in four inch letters and numerals on a contrasting background above the DOT specification number.

8. SPECIAL PROVISIONS.

a. Shipment of tank car ACFX 85386 is authorized from Consolidated Rail Corporation's Erie Yard, Erie, Pennsylvania, to Occidental Chemical Corporation, Niagara Falls, New York, a distance of approximately 85 miles utilizing the most direct route available via Consolidated Rail Corporation.

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: The Federal Railroad Administration is to be notified if any unusual incident, such as exterior tank car damage or derailment occurs during the movement 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) 366-9178 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 Federal hazardous materials transportation law, 49 U.S.C. 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.

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 of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipment made under the terms of this exemption.

Issued at Washington, D.C.:

MAY - 9 1995
(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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