JAN 31 1996

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

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

DOT-E 11633

EXPIRATION DATE: **February 15, 1996**

(FOR RENEWAL, SEE 49 CFR SECTION 107.105)

1. GRANTEE: Sun Company, Incorporated
Philadelphia, PA

2. PURPOSE AND LIMITATION: This exemption authorizes the one-time transportation in commerce of a DOT Specification 111A100W1 tank car (TRLX 26843) containing a residual amount of a Class 3 material, meeting all DOT requirements except that the tank car has defective interior heater coils, which will remain capped to prevent leakage while in transportation. This exemption provides no relief from any regulation 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 Part 107, Appendix B, Subpart B; Sections 172.302(c); 174.9(b) and 174.67(k).

5. BASIS: This exemption is based on the application of Sun Company Incorporated dated January 19, 1996, submitted in accordance with 49 CFR 107.113 and a determination that it is necessary to preclude a serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous materials description -- proper shipping name | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Petroleum distillates, n.o.s. | 3 | UN1268 | III |

7. PACKAGING(S) AND SAFETY CONTROL MEASURES: Packaging prescribed is a DOT Specification 111A100W1 tank car (TRLX 26843) meeting all DOT specification requirements except that the tank car has defective interior heater coils which will remain capped to prevent leakage during transportation.

8. SPECIAL PROVISIONS:

a. The tank car (TRLX 26843) must be transported to the nearest qualified repair facility.

b. Interior heater coil caps must remain in place at all times while the car is in transportation until reaching the repair facility.

c. MARKING - The provisions of 49 CFR Part 107, Appendix B, Subpart B and Section 172.302(c) are hereby waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: The Federal Railroad Administration is to be notified if any unusual accident, such as derailment or exterior tank car damage, occurs during transportation under the terms of this exemption.

Federal Railroad Administration
Office of Safety, RRS-12
Hazardous Materials Division
400 Seventh Street, S.W.
Washington, DC 20590
(202) 366-9252 or 366-0523

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.

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 inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

J. Suzanne Hedgepeth

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

JAN 31 1996
(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.

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