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

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

FEB 24 1997

DOT-E 11838

EXPIRATION DATE: May 31, 1997 or upon completion of one shipment, which ever occurs earlier.

1. GRANTEE: Van Waters & Rogers, Inc.
Beaumont, TX

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of chlorine in a DOT Specification 106A500X tank car tank which developed a leak during storage. A Chlorine Institute Emergency B Kit has been installed to prevent leakage during 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 173.24(b), 173.31(b)(1) & (3), 179-300-12(b), 179.300-13 and 179.300-14.

5. BASIS: This emergency exemption is based on the application of Van Waters & Rogers, Inc. dated February 10, 1997, and supplemental information dated February 19, 1997, submitted in accordance with 49 CFR 107.117 and a determination that the exemption 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	Identi-fication Number	Packing Group
Chlorine	2.3	UN1017	hazard zone B

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification 106A500X tank car tank which developed leakage while in storage. The tank car is equipped with a Chlorine Institute approved emergency "B Kit" to prevent leakage during transportation.

b. The tank must be braced and blocked to prevent movement during transportation.

8. SPECIAL PROVISIONS:

a. The tank will be transported from Beaumont, Texas via Interstate 10 East, to Geismar, Louisiana (approximately 200 miles) under the following conditions:

1. The shipment will be accompanied by an emergency response vehicle equipped with additional Chlorine Institute B Kits and other emergency response materials.

2. Proper authorities in Texas and Louisiana must be notified in advance of the movement that such movement will occur under exemption, and also be provided with the route plan for the movement.

3. Van Waters & Rogers must supply a report of their findings on the exact location and cause of the leak to the Research and Special Programs Administration within 30 days of completing a thorough inspection of the valve malfunction.

4. The tank must not be placed back into service prior to being repaired and tested.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

A copy of this exemption must be carried aboard the motor vehicle used to transport the tank covered by 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 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.

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o 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.:

2/24/97
(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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