AUG 17 1993

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

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

DOT E-10976

EXPIRATION DATE: August 28, 1993

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Occidental Chemical Corporation
Dallas, Texas

2. PURPOSE AND LIMITATION: This exemption authorizes the shipment of a DOT Specification 105A500W tank car, containing a Division 2.3 material, and a DOT Specification 111A100W2 tank car, containing a Class 8 material, meeting all DOT requirements except that the tanks and the safety relief valves are overdue for the required periodic retest. 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 173.29(c)(2) revised as of October 1, 1990; § 173.29(a) revised as of October 1, 1992; § 173.31(c)(1)

5. BASIS. This exemption is based on Occidental Chemical Corporation's applications of February 18, and February 22, 1993, submitted in accordance with 49 CFR 107.103 and the public proceedings thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

| **Hazardous materials description/proper shipping name** | Hazard Class or Division | Identification number | Packing Group |
|---|---|---|---|
| Sulfuric acid, spent | 8 | UN 1832 | II |
| Chlorine | 2.3 | UN 1017 | N/A |

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification 105A500W tank car, HOKX 8454, and a DOT Specification 111A100W2 tank car, HCPX 1767, meeting all DOT packaging requirements (49 CFR Parts 100-199), except that the tank cars are overdue for the required periodic retest.

b. MARKING - Tank cars HOKX 8454 and HCPX 1767 must be marked "DOT-E 10976" in four inch letters on a contrasting background above the DOT specification number.

c. TESTING - The tank and safety relief valve for tank cars HOKX 8454 and HCPX 1767 must be retested prior to being refilled.

8. SPECIAL PROVISIONS.

a. Shipment of tank car HOKX 8454 is authorized from Trinity Industries, Beaumont, Texas, to Occidental Chemical Corporation, Taft, Louisiana, a distance of approximately 264 miles utilizing the most direct route via the Atchison, Topeka and Santa Fe Railway Company and Union Pacific Railroad Company.

b. Shipment of tank car HCPX 1767 is authorized from Occidental Chemical Corporation, Convent, Louisiana, to Empak, Incorporated, Houston, Texas, a distance of approximately 350 miles utilizing the most direct route via Illinois Central, Union Pacific Railroad Company, and Port Terminal Railway Association.

c. 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: Not as a condition of 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 Hazardous Materials Transportation Act:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
- Any use or application of 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.
- Registration required by 49 CFR 107.601 et seq., when applicable.

12. REPORTING REQUIREMENTS.

a. The Federal Railroad Administration is to be notified if any unusual incident, such as derailment or exterior tank car damage, occurs during the movement by contacting the:

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

b. 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.:

AUG 17 1993

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.

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