MAR 16 1994

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

DOT-E 11216

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

EXPIRATION DATE: April 10, 1994

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Boliden Intertrade Manufacturing, Incorporated, Copperhill, Tennessee.

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of a DOT Specification 105A500W tank car, containing a Division 2.3 material, meeting all DOT requirements except that the tank car has two defective liquid eduction valves and a chlorine "C" kit attached. 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(a); 173.31(a)(1); 179.100-12(c); and 179.100-13.

5. BASIS: This emergency exemption is based on Boliden Intertrade Manufacturing Incorporated's application of February 16, 1994, 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
Sulfur dioxide	2.3	UN 1079	N/A

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification 105A500W tank car, UTLX 81095, with two defective liquid education valves which has been equipped with a chlorine "C" kit to prevent the emission of sulfur dioxide vapors.

b. TESTING - The liquid eduction valves for tank car UTLX 81095 must be retested prior to the tank car being refilled.

c. MARKING

i. Tank car UTLX 81095 must be marked DOT-E 11216 in four inch letters and numerals on a contrasting background above the DOT specification number.

ii. Tank car UTLX 81095 must be stencilled "Do Not Hump or Cut off Car in Motion" in letters at least 4" high on a contrasting background on both sides near the middle of the tank car.

8. SPECIAL PROVISIONS:

a. Shipment of tank car UTLX 81095 is authorized from the City of Baltimore Back River Waste Water Treatment Plant, Baltimore, Maryland, to Boliden Intertrade Manufacturing, Incorporated, Copperhill, Tennessee, a distance of approximately 933 miles utilizing the most direct route via Consolidated Rail Corporation and CSX Transportation.

b. Each shipping paper utilized for the transportation of this shipment must bear the notation "Do Not Hump or Cut off Car in Motion" in association with the basic shipping description.

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:

a. A copy of this exemption must be provided to the train crew involved with the transportation of the shipment covered by this exemption.

b. The Federal Railroad Administration is to be notified if any unusual incident 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

c. The manway protective housing cover, if remaining on the tank car, must be chained or otherwise fastened in the open position so that it cannot change position during transportation.

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.
- 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 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.:

Joseph T. Horning

for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

MAR 16 1994
(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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