1. **GRANTEE:** Sun Refining and Marketing Company  

2. **PURPOSE AND LIMITATION:** This emergency exemption authorizes  
   the transportation in commerce of a DOT Specification  
   111A100W1 tank car, containing a residual amount of a Class  
   3 material, meeting all DOT requirements except that the  
   tank car has defective interior heater coils. This  
   exemption provides no relief from any regulation other than  
   as specifically stated.

3. **REGULATORY SYSTEM AFFECTED:** 49 CFR Parts 106, 107 and 171- 
   190.

4. **REGULATIONS FROM WHICH EXEMPTED:** 49 CFR 174.67(k); 174.9(b).

5. **BASIS:** This emergency exemption is based on Sun Refining  
   and Marketing Company's application of June 14, 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):**

<table>
<thead>
<tr>
<th>Hazardous materials description/proper shipping name</th>
<th>Hazard Class or Division</th>
<th>Identification number</th>
<th>Packing Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petroleum oil</td>
<td>Combustible liquid</td>
<td>UN 1270</td>
<td>III</td>
</tr>
</tbody>
</table>

7. **PACKAGING(S) and SAFETY CONTROL MEASURES:**

   a. **PACKAGING** - Packaging prescribed is a DOT Specification  
      111A100W1 tank car, SUNX 24542, with defective interior  
      heater coils. The heater coil outlet caps have been secured  
      to prevent the release of product.

   b. **TESTING** - The interior heater coils of tank car SUNX  
      24542 must be retested prior to the tank car being refilled.
Continuation of DOT-E 11269

C. MARKING - Tank car SUNX 24542 must be marked "DOT-E 11269" in four inch letters and numerals on a contrasting background above the DOT specification number.

8. SPECIAL PROVISIONS.

a. Shipment of tank car SUNX 24542 is authorized from Sun Refining and Marketing, Toledo, Ohio, to G.E. Railcar, Sayre, Pennsylvania, a distance of approximately 250 miles utilizing the most direct route via Norfolk Southern Corporation and 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:

a. The Federal Railroad Administration is to be notified if any unusual incident occurs, such as, derailment or exterior tank damage, 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

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, 49 CFR Parts 171-180.

- Registration required by 49 CFR 107.601 et seq., when applicable.

No person may use or apply 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.
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.:

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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