U.S. Department
of Transportation

**Research and
Special Programs
Administration**

SEP 1 5 1994

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

DOT-E 11310

EXPIRATION DATE: October 15, 1994

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Sun Refining and Marketing Company
Philadelphia, Pennsylvania

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 a plugged hole in the tank car tank. 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) and 174.67(k).

5. BASIS. This emergency exemption is based on Sun Refining and Marketing Company's application of September 2, 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
Benzene	3	UN 1114	II

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT specification 111A100W1 tank car, RTMX 13664, with the vapor line removed at the tank car tank connection and a metal plug installed.

b. TESTING - The interior heater coils of tank car RTMX 13664 must be retested prior to the tank car being refilled.

c. MARKING - Tank car RTMX 13664 must be marked "DOT-E 11310" in four inch letters and numerals on a contrasting background above the DOT specification number.

8. SPECIAL PROVISIONS.

a. Shipment of tank car RTMX 13664 is authorized from Rexene Products, Odessa, Texas, to Empak, Hockley, Texas, a distance of approximately 619 miles utilizing the most direct route via Union Pacific Railroad Company and Southern Pacific Transportation Company.

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 such as derailment of exterior tank car damage, occurs during the movement by contacting the:

Federal Railroad Administration
Office of Safety, RRS-12
Hazardous Materials Division
400 Seventh Street, S.W.
Washington, D.C. 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 laws:

- 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 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 of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipment made under the terms of this exemption.

Issued at Washington, D.C.:

SEP 1 5 1994

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.

Dist: FRA