MAY - 9 1995

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 11461

EXPIRATION DATE: June 9, 1995

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Merichem Company
Houston, Texas

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of two DOT Specification 111A100W1 tank cars, containing residual amounts of Class 8 material, meeting all DOT requirements except that the tank cars have defective interior heater coils. 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 174.9(b); 174.67(k).

5. BASIS. This emergency exemption is based on Merichem Company's applications of March 9, 1995 and March 29, 1995, 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 Number	Identification Number	Packing Group
Corrosive liquid, n.o.s. (sodium sulfide solution, spent)	8	UN 1760	II

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are DOT Specification 111A100W1 tank cars, GATX 14674 and GATX 97906, 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 cars GATX 14674 and GATX 97906 must be retested prior to the tank car being refilled.

c. MARKING - Tank cars GATX 14674 and GATX 97906 must be marked "DOT-E 11461" in four inch letters and numerals on a contrasting background above the DOT specification number.

8. SPECIAL PROVISIONS.

a. Shipment of tank car GATX 14674 is authorized from International Paper, Camden, Arkansas, to Rescar, Incorporated, Channelview, Texas, a distance of approximately 500 miles utilizing the most direct route via Union Pacific Railroad Company. Shipment of tank car GATX 97906 is authorized from Sun Refining & Marketing, Toledo, Ohio, to Rescar, Incorporated, Channelview, Texas, a distance of approximately 1200 miles utilizing the most direct route via CSX Transportation, Southern Pacific Lines, and Union Pacific Railroad 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: The Federal Railroad Administration (FRA) 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
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 Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- 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.:

J. Suzanne Hedgepeth

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

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(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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