OCT - 6 1995

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

DOT-E 11569

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

EXPIRATION DATE: November 6, 1995

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Burlington Northern Railroad
Fort Worth, Texas

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the shipment of a DOT Specification 112S340W tank car, containing a division 2.2 material, meeting all DOT requirements except that the tank car is leaking from the manway nozzle gasket. 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 173.31(a); 173.24(b); 174.3; 174.50(a).

5. BASIS. This emergency exemption is based on Burlington Northern Railroad's application of October 9, 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 | Identification number | Packing Group |
|---|---|---|---|
| Ammonia, anhydrous, liquefied *or* Ammonia solutions *relative density less than 0.880 at 15 degrees C in water, with more than 50 percent ammonia* | 2.2 | UN 1005 | N/A |

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT specification 112S340W tank car, GATX 97838, meeting all DOT specification requirements except that the tank car has a leaking manway nozzle gasket which is unrepairable in the present location.

8. SPECIAL PROVISIONS.

a. Shipment of tank car GATX 97838 is authorized from Burlington Northern Railroad's Vancouver Yard, Vancouver, Washington, to Unical Corporation, Portland, Oregon, a distance of approximately 8 miles utilizing the most direct route available via Burlington Northern Railroad.

b. Tank car GATX 97838 shall be located no closer than the sixth car from an occupied locomotive or caboose. The movement shall be made by "special train" under the direct supervision of a Burlington Northern Hazardous Materials/Safety Official.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS:

a. The Federal Railroad Administration (FRA) 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

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.

a. 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.:

Suzanne Hedgepeth

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

OCT - 6 1995
(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