U.S. Department of Transportation

Research and Special Programs Administration

DEC - 4 1995

DOT-E 11605

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

EXPIRATION DATE: January 30, 1996

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Burlington Northern Railroad Company
Fort Worth, Texas

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation, in commerce, of four DOT Specification 111A100W1 tank cars, containing a class 3 material, meeting all DOT requirements except that the tank cars have unapproved fittings. 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) and 179.200-16(a).

5. BASIS. This emergency exemption is based on Burlington Northern Railroad Company's application of August 2, 1995, submitted in accordance with 49 CFR 107.113, and a determination that it is necessary to protect life and property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identification number**	**Packing Group**
Flammable liquid, n.o.s. (benzene and dicyclopentadiene)	3	UN 1993	II

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are four DOT specification 111A100W1 tank cars, AGEX 1006, TILX 190073, GLNX 3019, and TILX 190076, meeting all DOT specification requirements except that the tank cars have unapproved fittings.

b. MARKING - The tank car must be marked "DOT-E 11605" in letters and numerals at least four inches high on a contrasting background above the DOT specification marks.

8. SPECIAL PROVISIONS.

a. Shipment of the four tank cars is authorized from Burlington Northern Railroad Company's railyard, Hinton, Iowa, to Transisco Rail Services, Miles City, Montana, a distance of approximately 650 miles utilizing the most direct route available via Burlington Northern Railroad Company.

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) 366-9252 or 366-0509

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. Section 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.

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.:

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

DEC - 4 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