MAY 1 9 1997

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

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

DOT-E 11887

EXPIRATION DATE: **September 1, 1997**

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Reilly Industries, Incorporated
Indianapolis, IN

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of certain DOT Specification tank car tanks, equipped with external heater coils which have been modified without the approval of the Association of American Railroads (AAR), to be used for the shipment of Elevated temperature liquid, flammable, n.o.s. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 179.3.

5. BASIS: This emergency exemption is based on the application of Reilly Industries, Incorporated dated May 6, 1997 and supplemental information dated May 14, 1997, submitted in accordance with 49 CFR 107.117 and a determination that it is necessary to preclude a significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Elevated temperature liquid, flammable, n.o.s.	3	UN3256	III

7. PACKAGING AND SAFETY CONTROL MEASURES: Packagings prescribed are certain DOT Specification 111A100W1, 111A60W1 and 111A100W3 tank car tanks, equipped with exterior heating coils which have been modified without the approval of the AAR. This exemption only authorizes the transportation of the 60 tank car tanks identified by serial numbers on file with OHMEA.

8. SPECIAL PROVISIONS:

a. Persons who receive the 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.

b. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

c. Reilly Industries, Incorporated must submit a report to OHMEA identifying those tank covered by this exemption which have received an approval by the Association of American Railroads.

c. MARKING - Each tank car tank must be marked "DOT-E 11887".

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: None as a requirement of this exemption.

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 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: 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 incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

MAY 1 9 1997

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.

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