NOV 23 1998

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

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

DOT-E 12179

EXPIRATION DATE: **November 30, 1998**

1. GRANTEE: Consolidated Rail Corporation
Philadelphia, Pennsylvania

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of Toxic solids, organic, n.o.s., in an overweight, covered hopper rail car. 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 172.203(a), 172.302(c) and 173.24b (d)(2).

5. BASIS. This emergency exemption is based on Consolidated Rail Corporation's verbal request of November 13, 1998, and application dated November 19, 1998 submitted in accordance with 49 CFR 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/Division**	**Identification Number**	**Packing Group**
Toxic solids, organic, n.o.s.	6.1	UN2811	III

7. SAFETY CONTROL MEASURES: Packaging is as prescribed in 49 CFR, Part 173, Subpart B: The number on the hopper car is ENDX 507171.

8. SPECIAL PROVISIONS.

a. The shipment is to originate at Buckeye Yard in Columbus, Ohio destined for Techneglas plant in Columbus, Ohio.

b. The requirements of 49 CFR 172.203(a) and 172.302(c) are waived.

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.

Each "hazmat employee", as defined in 49 CFR 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by 49 CFR 172.700 through 172.704.

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person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.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 incidents involving the package and shipments 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.

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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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