U.S. Department
of Transportation

**Research and
Special Programs
Administration**

NOV 30 1999

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

DOT-E 12387

EXPIRATION DATE: December 31, 1999

1. GRANTEE: DXI Industries, Inc.
Houston, TX

2. PURPOSE AND LIMITATION: This emergency exemption authorizes a one-time transportation in commerce of chlorine in a DOT specification 106A500X multi-unit tank car tank which developed a leak in one of the valves. The tank is equipped with a Chlorine Institute Emergency "B-Kit" to prevent leakage during transportation. 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 §§ 173.24(b), 179.300-12(b), 179.300-13(a) and 179.300-14.

5. BASIS: This emergency exemption is based on the application of DXI Industries, Inc., dated November 29, 1999, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper shipping name -- Hazardous materials description	Hazard Class/ Division	Identi-fication Number	Packing Group
Chlorine	2.3	UN1017	n/a

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT specification 106A500X multi-unit tank car tank which developed leakage from a valve. The tank is equipped with a Chlorine Institute emergency "B-Kit" to prevent leakage during transportation.

b. The tank must be blocked and braced to prevent movement during transportation.

8. SPECIAL PROVISIONS: The tank will be transported by private carrier from San Antonio, Texas to DXI Industries, Inc., in Houston, Texas.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard the motor vehicle used to transport the tank car tank covered by 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. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 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 §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this 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. (Sections 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 in Washington, D.C.:

NOV 30 1999
(DATE)

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, 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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