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

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

AUG 17 1990

DOT-E 10445

1. Dow Chemical U.S.A., Freeport, Texas, is hereby granted an emergency exemption from certain provisions of this Department's Hazardous Materials Regulations to offer a package prescribed herein of a Nonflammable gas residue for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transportation of a DOT Specification 105A500W tank car tank with a defective safety relief valve for the transportation of Sulfur Dioxide residue, and provides no relief from any regulations other than as specifically stated.

2. BASIS. This emergency exemption is based on Dow Chemical U.S.A.'s application of August 13, 1990, submitted in accordance with 49 CFR 107.113 and 107.105 and a determination that it is necessary for protection of life and property.

3. HAZARDOUS MATERIALS (Descriptor and class). Sulfur Dioxide, classed as a Nonflammable gas.

4. PROPER SHIPPING NAME (49 CFR 172.101). Sulfur Dioxide

5. REGULATION AFFECTED. 49 CFR 173.29(c)(2) and 179.102-2.

6. MODES OF TRANSPORTATION AUTHORIZED. Rail freight

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed is a DOT Specification 105A500W tank car tank, UTLX 82679, with a defective safety relief valve, which has been equipped with a Chlorine "C" kit to prevent the emission of sulfur dioxide vapors.

b. The manway protective housing cover while opened must be chained or otherwise fastened so that it cannot change position during transportation.

8. SPECIAL PROVISIONS.

a. Shipment must be between Dow Chemical U.S.A., Freeport, Texas, and Rhone-Poulenc, Houston, Texas, a distance of 75 miles, using the most direct route available (Union Pacific-Houston-Port Terminal Railroad).

b. The tank car must be marked DOT-E 10445 above the DOT specification number in at least four inch letter on a contrasting background.

c. 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, RRS-12
400 Seventh Street S.W.
Washington D.C. 20590
(202) 366-9178 or 366-0549

d. Persons who receive 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.

9. REPORTING REQUIREMENTS. Any incident involving loss of packaging contents or packaging failure must be reported to the Office of Hazardous Materials Transportation (OHMT) as soon as practicable.

10. EXPIRATION DATE. November 1, 1990.

Issued at Washington, D.C.:

AUG 17 1990

J. Suzanne Hedgepeth

for Alan I. Roberts
Director
Office of Hazardous Materials
Transportation

(DATE)

Address all inquiries to: Director, Office of Hazardous Materials Transportation, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C., 20590. Attention: Exemptions Branch.

Dist: FRA.