JUL 13 1993

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

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

DOT-E 11066

EXPIRATION DATE: August 9, 1993

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: SCM Chemicals Incorporated, Baltimore, Maryland

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the shipment of a DOT Specification 105A500W tank car, containing a Division 2.3 material, meeting all DOT requirements except that the tank car has a defective liquid valve flange and chlorine "C" kit attached. 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(b)(3); 179.100-12(c); 179.100-13; and 179.102-2.

5. BASIS. This emergency exemption is based on SCM Chemicals incorporated's application of July 9, 1993, submitted in accordance with 49 CFR 107.113, and a determination that it is necessary for the protection of life and property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/Division	Identification number	Packing Group
Chlorine	2.3	UN 1017	N/A

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT specification tank car, GATX 35679, with a defective liquid valve flange which has been equipped with a chlorine "C" kit to prevent the emmision of chlorine vapors.

b. TESTING - Not as a condition of this exemption.

c. MARKING - Tank car GATX 35679 must be marked DOT-E 11066 in four inch letters on a contrasting background above the DOT specification number.

8. SPECIAL PROVISIONS.

a. Shipment of tank car GATX 35679 is authorized from SCM Chemicals Incorporated, Ashtabula, Ohio, to Ashta Chemicals, Ashtabula, Ohio, a distance of approximately 1 mile utilizing the most direct route via the Consolidated Rail Corporation.

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

c. 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. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS: Not as a condition 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 Hazardous Materials Transportation Act:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
- Any use or application of this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect unless a regulation has been amended making the exemption no longer necessary.
- Registration required by 49 CFR 107.601 et seq., when applicable.

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 as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.)

b. 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

Issued at Washington, D.C.:

Joseph T. Harrison
for 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.

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