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

MAR 25 1994

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

DOT-E 11235

EXPIRATION DATE: April 22, 1994

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Consolidated Rail Corporation
Philadelphia, Pennsylvania.

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of a DOT Specification 111A100W1 tank car, containing a Class 3 material, meeting all DOT requirements except that the tank car has a 1/4" fracture extending approximately 5 feet across the bottom 1/3 of the "A" end tank head. 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(a).

5. BASIS. This emergency exemption is based on Consolidated Rail Corporation's application of March 17, 1994, and supplemental information dated March 18, 1994, 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 |
|---|---|---|---|
| Methyl methacrylate monomer, inhibited | 3 | UN 1247 | II |

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification 111A100W1 tank car, GATX 1037, with a 1/4" fracture extending approximately 5 feet across the bottom 1/3 of the tank car "A" end head. An epoxy patch has been installed to prevent the release of product.

b. TESTING - The tank shell of tank car GATX 1037 must be emptied and retested prior to the tank car being refilled.

c. MARKING - Tank car GATX 1037 must be marked "DOT-E 11235" in four inch letters and numerals on a contrasting background above the DOT specification number.

d. HANDLING - Tank car GATX 1037 must be the last car in the train and coupled at the "B" end only.

8. SPECIAL PROVISIONS.

a. Shipment of tank car GATX 1037 is authorized from Consolidated Rail Corporation's Buffalo, New York yard to Maryland Rail Car, Elk Mills, Maryland, a distance of approximately 483 miles utilizing the most direct route via Consolidated Rail Corporation and CSX Transportation.

b. 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:

a. The Federal Railroad Administration is to be notified if any unusual incident occurs, such as a derailment, 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

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.
- 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 unless a regulation has been amended making the exemption no longer necessary.

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

Issued at Washington, D.C.:

Joseph T. Kornick

for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

MAR 25 1994
(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