JAN 11 1996

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

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

DOT-E 11612

EXPIRATION DATE: February 5, 1996

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Bowater Newsprint
Calhoun, Tennessee

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the shipment, in commerce, of a DOT Specification 111A100W1 tank car, containing a residual amount of a class 8 material, meeting all DOT requirements except that the tank car is equipped with a defective bottom outlet valve. 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); 173.29(a); 174.3; 179.200-17(a).

5. BASIS. This emergency exemption is based on Bowater Newsprint's application of January 5, 1996, 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
Caustic alkali liquids, n.o.s. (Sodium hydroxide and sodium sulfide)	8	UN 1719	II

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification 111A100W1 tank car, GATX 40243, meeting all DOT specification requirements except that the tank car has a defective bottom outlet valve which is unrepairable at the present location.

b. MARKING - Tank car GATX 40243 shall be marked "DOT-E 11612" in letters and numerals at least four inches high above the DOT specification markings on a contrasting background.

c. TESTING - The bottom outlet valve for tank car GATX 40243 shall be retested after repair and prior to reloading with any hazardous material.

8. SPECIAL PROVISIONS. Shipment of tank car GATX 40243 is authorized from Bowater Newsprint, Calhoun, Tennessee, to General American Transportation Company, Waycross, Georgia, a distance of approximately 400 miles utilizing the most direct route available via CSX Transportation.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS: The Federal Railroad Administration is to be notified if any unusual incident, such as derailment or exterior tank car damage, occurs during the movement by contacting the:

Federal Railroad Administration
Office of Safety Enforcement, RRS-12
Hazardous Materials Division
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 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 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.

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 (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 of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipment made under the terms of this exemption.

Issued at Washington, D.C.:

JAN 11 1996

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(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.

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