U.S. Department of Transportation

Research and Special Programs Administration

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

DEC 24 1997

DOT-E 12016

EXPIRATION DATE: March 31, 1998

1. GRANTEE: Cytec Industries, Incorporated
West Paterson, New Jersey

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the filling, offering, and transportation in commerce of certain tank cars containing a class 8 material, that are overdue for retesting. 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)(3)in that tank car tanks are overdue for periodic inspection.

5. BASIS. This emergency exemption is based on Cytec Industries, Incorporated's application of October 21, 1997, submitted in accordance with 49 CFR 107.117 and a determination that it is necessary to prevent serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/Number	Identification Number	Packing Group
Sulfuric acid	8	UN 1830	II

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are thirty DOT specification 111A100W2 and four DOT 111A60W6 tank cars, with the following reporting marks and numerals:

GATX 7509	GATX 7522	GATX 7539
GATX 7510	GATX 7524	GATX 7540
GATX 7511	GATX 7525	GATX 7541
GATX 7512	GATX 7526	GATX 7543
GATX 7513	GATX 7529	GATX 7544
GATX 7514	GATX 7530	GATX 7546
GATX 7515	GATX 7531	UTLX 300800
GATX 7516	GATX 7534	UTLX 300801
GATX 7517	GATX 7535	UTLX 639002
GATX 7518	GATX 7536	UTLX 639003
GATX 7520	GATX 7537	
GATX 7521	GATX 7538	

b. OPERATIONAL CONTROLS:

1. New tank car tanks must replace existing tank car tanks on a one-for-one basis.

2. Each tank car tank must be examined in accordance with the requirements contained in § 173.31(d) prior to each shipment.

8. SPECIAL PROVISIONS: Each tank car shall be marked "DOT-E 12016" in letters and numerals at least four inches high on a contrasting background above the specification marking.

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 damage occurs during the movement by contacting:

Federal Railroad Administration
Office of Safety Assurance and Compliance
RRS-12, Mail Stop 25
400 Seventh Street, S.W.
Washington, D.C. 20590
(202) 632-3348 or 632-3373

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 law, 49 U.S.C. Section 5101 et seq:

- 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.

Each "hazmat employee", as defined in 49 CFR 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 49 CFR 172.700 through 172.704.

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.

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. (49 CFR 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued at Washington, D.C.:

DEC 24 1997

(DATE)

for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

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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