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

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

FEB 18 1993

DOT-E 10955

1. Rhone-Poulenc, Triangle Research Park, North Carolina, is hereby granted an emergency exemption from certain provisions of this Department's Hazardous Materials Regulations to offer a package prescribed herein of a division 2.3 material 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 with a defective angle valve, contained in an emergency kit for the transportation of Sulfur dioxide, and provides no relief from any regulations other than as specifically stated.

2. BASIS. This emergency exemption is based on Rhone-Poulenc, Incorporated's application of February 17, 1993, submitted in accordance with 49 CFR 107.113, and a determination that is necessary for the protection of life and property.

3. HAZARDOUS MATERIALS (Descriptor and class). Sulfur dioxide, classed as a division 2.3 material.

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

5. REGULATION AFFECTED. 49 CFR 173.31(b)(1); 174.47(b)

6. MODES OF TRANSPORTATION AUTHORIZED. Rail freight

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed is a DOT Specification 105A500W tank car, GATX 12865, meeting all DOT requirements (49 CFR Part 100-299), except that one angle valve is defective. The defective angle valve and associated leak are contained in an emergency kit.

8. SPECIAL PROVISIONS.

a. Tank car GATX 12865 must be marked DOT-E 10955 in four inch letters on a contrasting background above the DOT Specification number.

b. Shipment of the tank car is authorized between Union Pacific Railroad, North Platte, Nebraska, and Rhone Poulenc, Incorporated, Hammond, Indiana, a distance of approximately 744 miles, via the most direct route available utilizing Union Pacific Railroad Company - Chicago And Northwestern Transportation Company - Indiana Harbor Belt.

c. The Federal Railroad Administration (FRA) is to be notified if any unusual incident, such as a derailment or exterior tank damage, 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 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.)

10. EXPIRATION DATE. March 15, 1993

Issued at Washington, D.C.

FEB 18 1993

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, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Program.

Dist: FRA