U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 9801 (EXTENSION)
FIRST REVISION December 13, 1991

In accordance with 49 CFR 107.109 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 9801 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to August 31, 1998. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.109. This extension constitutes a necessary part of this exemption and must be attached to it.

for Marilyn J. Morris
Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

October 18, 1996
(DATE)

Dist: FRA

EXEMPTION HOLDER	APPLICATION DATE
Phelps Dodge Corporation Phoenix, AZ	September 4, 1996

EXPIRED - NO RENEWAL
NOT ACTIVE

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400 Seventh Street, S.W.
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DEC 13 1991

(DOT-E 9801)
(FIRST REVISION)

1. Phelps Dodge Corporation, Phoenix, Arizona, is hereby granted an exemption from those provisions of this Department's Hazardous Materials Regulations specified in paragraph 5 below to offer packages prescribed herein of sulfuric acid for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the testing of DOT Specification 111A100W2 tank car tanks, over ten years of age, with sulfuric acid in lieu of water and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Phelps Dodge Corporation's application dated May 24, 1991 submitted in accordance with 49 CFR 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class). Sulfuric acid, classed as a corrosive material.

4. PROPER SHIPPING NAME (49 CFR 172.101). Sulfuric acid.

5. REGULATION AFFECTED. 49 CFR 173.31(c)(2) and footnote (d) of Table 1.

6. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

7. SAFETY CONTROL MEASURES.

a. Packaging prescribed is a DOT Specification 111A100W2 tank car tank, over ten years of age, retested with sulfuric acid in lieu of water.

b. Tank car tanks which fail the retest must be placed out of service until repaired in accordance with Appendix R of the AAR specifications for tank cars and the reporting marks of each failed tank car reported to the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

c. Each tank car tank must be given an internal inspection at the time of the periodic retest and be inspected for signs of defects and corrosion. Areas of corrosion must be ultrasonically tested for thickness and recorded on the AAR certificate of test or other attachment. Tank car tanks that do not meet the minimum plate thicknesses specified in 49 CFR Part 179 may not be used until repaired.

8. SPECIAL PROVISIONS.

a. Each tank car used under this exemption shall be marked "DOT-E 9801" in letters and numbers at least four inches high on a contrasting background on both sides of the tank car above the DOT specification number.

b. Each tank car must be visually inspected prior to each shipment for signs of leakage or distress. Any tank car that shows signs of leakage or distress may not be used until proper repairs have been made.

c. Any tank car tank which develops leaks during transportation or fails the periodic hydrostatic retest must be reported to the OHMEA.

d. Hydrostatic test certificates for each tank must be maintained by the owner and be made available to any representative of the DOT upon request.

9. REPORTING REQUIREMENTS: Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable.

10. EXPIRATION DATE. April 30, 1993.

Issued at Washington, D.C.

DEC 13 1991

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 Branch.

Dist: FRA.