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

APR 2 - 1993

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

DOT-E 10992

EXPIRATION DATE: August 30, 1993

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Domino Sugar Corporation, New York, New York

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the shipment of DOT specification tank cars, containing non-hazardous materials, meeting all DOT requirements except that the tank cars are not equipped with coupler vertical restraint systems and 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)

5. BASIS. This emergency exemption is based on Domino Sugar Corporation's application of March 17, 1993, submitted in accordance with 49 CFR 107.113, 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 (Written Class) class number	Identification number	Packing Group
N/A	N/A	N/A	N/A

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. Packagings prescribed are DOT specification tank cars, with serial numbers on file with the Associate Administrator for Hazardous Materials Safety, meeting all DOT requirements (49 CFR Parts 100-299), except that the tank cars are not equipped with coupler vertical restraint systems.

b. MARKING - Tank cars must be marked DOT-E 10992 in four inch letters on a contrasting background above the DOT Specification number.

8. SPECIAL PROVISIONS.

a. Domino Sugar Corporation must provide written notification, to the Associate Administrator for Hazardous Materials Safety, at the completion of the modification program indicating that all tank cars subject to this exemption have been equipped with coupler vertical restraint systems.

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 (FRA) is to be notified if any unusual incident, such as derailment, 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

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.
- Any use or application of 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.
- Registration required by 49 CFR 107.601 et seq., when applicable.

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.:

APR 2 - 1993

(DATE)

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.

Dist: FRA