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

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

DOT-E 11231

MAR 16 1994

EXPIRATION DATE: April 10, 1994

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: The Dow Chemical Company, Midland, Michigan.

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time transportation in commerce of a DOT Specification 105A600W tank car, containing a Division 2.3 material, poisonous by inhalation, meeting all DOT requirements except that the internal product pressure is greater than 90 psig. 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 173.314(c).

5. BASIS. This emergency exemption is based on The Dow Chemical Company's application of March 10, 1994, 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 and/or division number	Identification number	Packing Group
Hydrogen chloride, refrigerated liquid	2.3	UN 2186	N/A

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. Packaging - Packaging prescribed is a DOT specification 105A600W tank car, DLCX 2800, with an internal pressure of approximately 150 psig.

b. Marking - Tank car DLCX 2800 must be marked "DOT-E 11231" in four" letters above the specification marks.

8. SPECIAL PROVISIONS.

a. Shipment under this exemption is authorized from Dow Corning Corporation, Midland, Michigan, to The Dow Chemical Company, Midland, Michigan, a distance of aproximately 1 mile utilizing the most direct route possible via CSX Transportation.

9. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

10. MODAL REQUIREMENTS:

a. A copy of this exemption must be provided to the train crew involved with the transportation of the shipment covered by this exemption.

b. The Federal Railroad Administration is to be notified if any unusual incident occurs, such as derailment or tank car damage, 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 the Hazardous Materials Transportation Act:

- 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.

No person may use or apply 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.

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.:

MAR 16 1994

Alan I. Roberts (DATE)
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