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DEPT. OF TRANSPORTATION
12957-1
02 FEB -4 11:37

PART 1 APPLICANT

RSOA-02-12057-2

1A. Exemption Number : 12957

Application Number: 42834

Project Officer : LaValle

1B. Date of Application: 3/6/02

1C. Name of Applicant: Robin Jo Bolte

Title: Safety and Regulatory Compliance Manager
Company Name: Transportation Services Unlimited
Miami, FL

Phone Number: (305)888-2623

1D. U.S. Agent for foreign applicant or Consultant Name:

Company name:
Address:
Phone Number:

1E. Summary of What Applicant is Requesting:

To authorize the one-time transportation of two leaking ton containers (DOT Spec. 106A500) fitted with a "B" kit.

1F. Regulation(s) exempted: 173.24(b), 179.300-12(b), 179.300-13(a) and 179.300-14.

1G. Modes of Transportation:

- 1 Motor Vehicle (X) 2 Rail Freight ()
- 3 Cargo Vessel () 4 Cargo Aircraft ()
- 5 Passenger Aircraft ()

PART 2 REVIEW FOR DOCKETING

- () Application contains sufficient information to support docketing.
- () Application is incomplete or unnecessary and should be returned for the following reason(s).

PART 3 HAZARDOUS MATERIALS

3A. Hazardous Materials to be shipped:

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Sulfur dioxide	2.3	UN1079	n/a

3B. Is the hazardous material capable of being detonated? (If No - go to 3C)

If so, under what conditions?

- (1) What special precautions have been taken to prevent these conditions in transportation?
- (2) Has the hazardous material been classed as an explosive? _
 - Has it been tested and approved under § 173.56?
 - Is stabilization required and what type?

3C. Other risks presented by the material that warrant special assessment. (e.g. flammable or toxic gases produced upon contact with water, material can initiate or enhance a fire, article or device contains an ignition source)

PART 4 PACKAGING

4A. Is the applicant seeking an exemption from the packaging requirements?
(If No - Go on to Part 5)

- 4B. Non authorized specification package.
- Authorized Specification package with quantity or size variation.
- Material change.

- Over authorized pressure.
- Non specification package. Most comparable spec. package.

4C. What are the possible failure modes of the packaging?

Is the material of construction appropriate?

Will the packaging integrity be sufficient?

In the case of a pressurized packaging, will the package adequately contain any pressure that might develop?

Does packaging meet the performance requirements for air transportation?

Have evaluation of tests results shown the package to be equivalent?

4D. Are special handling measures needed (specify)?

PART 5 SPECIAL TRANSPORT AND INFORMATIONAL CONTROLS

5A. Is the applicant seeking an exemption from Special Transport and Informational Controls? (If No - go to Part 6)

5B. Indicate control from which variance is sought. (i.e., placarding requirements, etc.)

5C. What controls have been offered or might be appropriate to mitigate risks otherwise presented with the exemption?

5D. What special data collection and reporting requirements are needed to document experience and exemption performance?

PART 6 SHIPPING EXPERIENCE

6A. What has the generally shipping experience been with this type of material, package, and operation?

6B. Can any rough estimate be made on the extent of the use of this exemption? How many shipments will be made and how much material will be transported?

6C. Is this a new package with no shipping experience?

PART 7 SAFETY AND RISK ASSESSMENT

- 7A. 49 CFR § 107.105(d) prescribes requirements for justification of an exemption through comparisons with established levels of safety and risk assessment. Has the applicant demonstrated equivalent levels of safety or provided an appropriate risk analysis?
- 7B. What are the hazards (worst case) posed by the proposed exemptions? What could go wrong? Are the risks significant? What is the degree of uncertainty as to likelihood or consequences?
- 7c. What are the benefits to the public and the applicant of granting the exemption? What trade-offs have been made?
- 7D. Does this exemption (and other similar exemptions) point to the need for possible regulatory changes? If so what other information is needed to support a regulatory change.

PART 8 DOCKET II S

- 8A. Date checked: _____
- 8B. Comments; _____ (If Yes, summarize)
- 8C. Has **CONFIDENTIAL** or **PROPRIETARY** information (49 CFR 107.5) been considered in this application?

PART 9 OVERALL EVALUATION & RECOMMENDATION

A DOT specification tank car tank containing sulfur dioxide, a PIH material, that has a leak is cause for emergency attention. A tank car tank equipped with a Chlorine Institute "B" Kit poses a lower hazard risk than that posed by a leaking tank. The safety record and shipping experience for tanks equipped with "B" kits are well established with a low incident rate. The B" kit will prevent leakage of the tank during transportation. I recommend that this application for emergency exemption be granted for a one-way shipment by company truck.

Office of Hazardous Materials Technology (OHMT)
Office of Hazardous Materials Exemptions and Approvals (OHMEA)

Office: DHM-31

Project Officer/Date: Diane LaValle 3/7/02

Reviewer/Date: R. Gen [Signature] 3/7/02

Office Director/Date: _____