



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

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

DEC 12 2002

DOT-E 11733
(THIRD REVISION)

EXPIRATION DATE: November 30, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Akzo Nobel Chemicals Inc.
Chicago, IL
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of organic peroxide type F in specially modified DOT Specification cargo tank motor vehicles and provides no relief from the Hazardous Materials Regulations other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 178.345-10(b)(1) in that a non-reclosing pressure relief device is authorized.
5. BASIS: This exemption is based on Akzo Nobel Chemicals, Inc.'s application dated November 11, 2002, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description/proper shipping name	Hazard Class/Division	ID number	Pack- ing Group
Organic peroxide type F, liquid	5.2	UN3109	II
Organic peroxide type F, liquid, temperature controlled	5.2	UN3119	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Specification DOT 407 or DOT 412 cargo tank motor vehicles having additional non-specification pressure relief devices installed, as set forth in paragraph 7.b. below. The capacity of these cargo tanks is 7,000 gallons, the design pressure is 35 psig and they are designed and constructed in accordance with the ASME Code.

b. PRESSURE RELIEF - In addition to the pressure relief devices required by the respective specifications, six 12-inch non-reclosing pressure relief devices (rupture discs) must be installed as a single unit without being in series with a reclosing pressure relief device. The size and quantity of the pressure relief devices must be such that an increase in pressure of the cargo tank, due to either self-accelerating decomposition or fire engulfment, would not result in a rupture of the cargo tank.

c. TESTING - Each cargo tank must be inspected and requalified in accordance with Part 180, Subpart E, for a DOT 407 or 412 cargo tank, respectively.

d. OPERATIONAL CONTROLS -

1. The peroxide solution must be loaded and unloaded by employees of Akzo Nobel Chemicals who are familiar with the product and with the proper procedures for its safe handling.

2. After loading and before transportation, a sample must be taken from the cargo tank motor vehicle and must be analyzed to ensure that the product is within specifications for that product.

8. SPECIAL PROVISIONS:

a. Akzo Nobel Chemicals, Incorporated must comply with all provisions of this exemption, and all other applicable requirements in 49 CFR Parts 171-180.

MARKING - Each cargo tank motor vehicle must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background, "DOT-E 11733".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. Transportation of the organic peroxide solutions must be by private carrier only.

b. A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

c. Motor carriers operating under terms of this exemption must have a safety rating of "Satisfactory" as prescribed in 49 CFR 385.

d. Drivers must be instructed on the hazards of the material and as to necessary safeguards and proper procedures in the event of unusual delay, fire or accident. Drivers must check the temperature of the load every two hours and record it in the log book.

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 Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8 who perform a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

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 (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Ann Mazzullo

to
Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

DEC 12 2002

(DATE)

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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: AM