U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

OCT 2 6 2004

DOT-E 12886
(THIRD REVISION)

EXPIRATION DATE: September 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: The Members (listed on Appendix A) of The Society of the Plastics Industry, Incorporated, Washington D.C.

   (See Appendix B for a list of additional grantees)

2. PURPOSE AND LIMITATION:

   a. This exemption authorizes the transportation of organic peroxides that also meet the definition of Class 3, Division 4.1, and Class 8 packing group III without subsidiary hazard labels. This exemption provides no relief from the Hazardous Materials Regulations (HMR) 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 § 172.301(c) in that the exemption number need not be marked on the package and § 172.402 in that certain subsidiary labels are not required.

5. BASIS: This exemption is based on the application of The Society of the Plastics Industry, Inc., dated October 14, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101): OCT 2 6 2004

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Organic peroxides as listed in the table in § 173.225	5.2	As applicable	II

7. SAFETY CONTROL MEASURES: Packagings as prescribed by the HMR for the material in paragraph 6.

8. SPECIAL PROVISIONS:

a. The Class 3, Division 4.1, and Class 8 PG III subsidiary hazard labels required for organic peroxides under § 172.402(a) are waived unless that subsidiary hazard label is required under § 173.225(b) (Organic peroxide table).

b. The marking requirements of § 172.301(c) are waived. However, the exemption number "DOT-E 12886" must be included on each shipping paper as required by § 172.203(a).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo-only aircraft and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: None, other than as required by the HMR.

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

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

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

Each "Hazmat employee", as defined in § 171.8, who performs 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 this 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 incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

OCT 2 6 2004
(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: sln

APPENDIX A

Akzo Noble Polymer Chemicals, LLC
1 Livingstone Avenue
Dobbs Ferry, NY 10522

Aztec Peroxides, Inc.
555 Garden Street
Elyria, OH 44035

ATOFINA Chemicals, Inc.
2000 Market Street
Philadelphia, PA 19103

Crompton Corporation
Benson Road
Middlebury, CT 06749

GEO Specialty Chemicals
50 North Market Street
Gibbstown, NJ 08027

Lyondell Chemical Co.
PO Box 3646
Houston, TX 77253

Norse, Inc.
405 South Motor Avenue
Azusa, CA 91702

PPG Industries, Inc.
One PPG Place
Pittsburgh, PA 15272

Sunoco Chemicals
550 Technology Drive
Pittsburgh, PA 15219

OCT 2 6 2004

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
R. T. Vanderbilt Company, Inc. Norwalk, CT	Feb 20, 2004	Apr 21, 2004	Oct 31, 2004

OCT 2 6 2004

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

Date