



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

AUG 11 2004

DOT-E 13092
(SECOND REVISION)

EXPIRATION DATE: July 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Degussa Initiators, LLC
Elyria, OH
(Former Grantee: Aztec Peroxides, LLC)
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of Di-tert-butyl peroxide in certain DOT Specification cargo tank motor vehicles. 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 § 173.225(e) in that a cargo tank is not an authorized packaging, except as provided herein.
5. BASIS: This exemption is based on the application of Degussa Initiators, LLC dated June 24, 2004, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Organic peroxide, type F, liquid (Di-tert-butyl peroxide (< 20%))	5.2	UN3109	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a DOT Specification MC 307, MC 312, combination MC 307/312, DOT 407, DOT 412 or combination DOT 407/412 cargo tank motor vehicle conforming with the specifications in letters dated July 25, 1980 and February 18, 1987 on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA) in the file for DOT-8932.

b. OPERATIONAL CONTROLS:

(1) Each cargo tank must be loaded and unloaded by Degussa Initiators, LLC, employees who are familiar with the lading and with the proper procedures for its safe handling.

(2) After loading and before transportation, a sample must be taken from the cargo tank and analyzed to ensure that the lading is within the specifications set forth in this exemption.

(3) Drivers must be instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire or accident.

(4) Transportation must be by private carrier only.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

b. Each cargo tank must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background, "DOT-E 13092."

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.
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:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o 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.
 - o Registration required by § 107.601 et seq., when applicable.

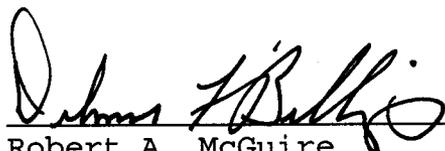
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

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

AUG 11 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.

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