



U.S. Department
of Transportation

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

**Research and
Special Programs
Administration**

SEP 9 2004

DOT-E 13219
(SECOND REVISION)

EXPIRATION DATE: September 15, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Solvay Chemicals, Inc.
Houston, TX
(Former Grantee: Solvay Interlox, Inc.)

(See Appendix A to this exemption for a list of additional grantees)

2. PURPOSE AND LIMITATION:

- a. This exemption authorizes the transportation in commerce of certain DOT specification tank cars, containing Division 5.1 or 5.2 materials, that have been inspected under a modified inspection program prior to being offered for transportation. 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 §§ 172.302(c) in that marking the exemption number on the tank cars is waived; and 173.31(d)(1)(vi) in that removal of the rupture disc for inspection is waived.

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5. BASIS: This exemption is based on the application of Solvay Interlox, Inc. dated March 24, 2003 and July 22, 2003, submitted in accordance with § 107.105 and public proceeding thereon. And supplemental information dated August 23, 2004.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Hydrogen peroxide, stabilized or hydrogen peroxide aqueous solutions, stabilized with more than 60 percent hydrogen peroxide	5.1	UN2015	I
Hydrogen peroxide, aqueous solutions, with more than 40 percent but not more than 60 percent hydrogen peroxide (stabilized as necessary)	5.1	UN2014	II
Hydrogen peroxide, aqueous solutions, with not less than 20 percent but not more than 40 percent hydrogen peroxide (stabilized as necessary)	5.1	UN2014	II
Organic peroxide type F, liquid (peroxyacetic acid)	5.2	UN3109	II
Hydrogen peroxide and peroxyacetic acid mixtures, stabilized with acids, water and not more than 6 percent peroxyacetic acid	5.1	UN3149	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT specification tank cars authorized by the Hazardous Materials Regulations for use in the shipment of the hazardous materials identified in paragraph 6 above. Tank cars must be equipped with rupture discs made of multiple layers of aluminum, Teflon and stainless steel.

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b. TESTING - Each tank car operating under the terms of this exemption must be retested in accordance with § 180.509 no later than the due date of their next hydrostatic tank test.

c. OPERATIONAL CONTROLS -

(1) Prior to offering, the shipper must conduct the visual inspection of each car in accordance with § 173.31(d)(1)(vi) except that the frangible disc is not required to be removed for inspection. All other applicable requirements of § 173.31 must be complied with.

(2) Prior to each shipment, each tank car will be subjected to a pressure test of 10 psi for a minimum of 10 minutes to verify the rupture disc shows no sign of leakage. This leakage test requirement does not apply to shipment of tank cars containing residue at no more than 3 percent of the total volume.

(3) Tank cars must be used exclusively for the hazardous materials specified in paragraph 6 of this exemption.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

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

c. The marking requirements of § 172.302(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: None as a provision of 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

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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

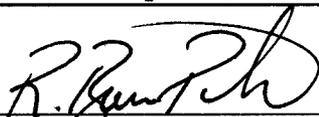
Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: sln

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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
ATOFINA Chemicals, Inc. Philadelphia, PA	Dec 18, 2003	Mar 01, 2004	Sep 15, 2005



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Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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Date