

December 19, 2007



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue, Southeast  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 13092  
(FOURTH REVISION)

**EXPIRATION DATE: May 31, 2010**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Evonik Degussa Initiators, Inc.  
Elyria, OH  
(Former Grantee: Aztec Peroxides, LLC)
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of Di-tert-butyl peroxide in certain DOT Specification cargo tank motor vehicles. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
  - c. No party status will be granted to this special permit
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 special permit is based on the application of Degussa Initiators, Inc. dated May 24, 2006, and additional information dated November 9, 2007, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Materials Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Organic peroxide, type F, liquid (Di-tert-butyl peroxide ( $\leq$ 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 Special Permits and Approvals (OHMSPA) 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 special permit.

(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 special permit must be maintained at each facility where the package is offered or reoffered for transportation.

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- 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-SP 13092."
- c. Packages permanently marked 'DOT-E 13092', prior to October 1, 2007 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packages marked on or after October 1, 2007 must be marked 'DOT-SP 13092'.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit 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 special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this special permit 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 special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

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

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat.

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1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Theodore L. Willke  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm) Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: dl/kah