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

OCT 24 1996

DOT-E 11702

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

EXPIRATION DATE: **October 15, 1998**

1. GRANTEE: Eka Nobel Inc., Columbus, Mississippi

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of aqueous solutions of hydrogen peroxide in DOT Specification 412 cargo tank motor vehicles fitted with a breather vent and provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 178.348-10 insofar as use of a special breather vent, described in paragraph 7.b., is not authorized by this DOT Specification. The Associate Administrator for Hazardous Materials Safety has authorized use of this vent by **CA-9610012** as required by 49 CFR 172.102(c)(3) Special Provision B81.

5. BASIS: This exemption is based on Eka Nobel's application dated May 15, 1996, and supplemental material dated September 11, 1996, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Hydrogen peroxide aqueous solutions stabilized	5.1	UN2015	I
Hydrogen peroxide, aqueous solution	5.1	UN2014	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are DOT 412 cargo tank motor vehicles except for certain pressure and vacuum relief equipment, described in paragraph 7.b. below. The capacity of these cargo tanks is 4,750 gallons, their design pressure is 40 psig and they are designed and constructed in accordance with the ASME Code.

b. PRESSURE RELIEF - In addition to pressure relief requirements of 49 CFR 178.348-10, a 2.5-inch minimum diameter breather vent, Midland Model A-441-SS, is installed singly, i.e. without having a reclosing pressure relief device in series.

c. TESTING - All inspections and tests required in Part 180, Subpart E for the DOT 412 cargo tank motor vehicle must be conducted on vehicles covered by this exemption.

d. OPERATIONAL CONTROLS - The hydrogen peroxide solution must be loaded and unloaded by employees of Eka Nobel who are familiar with the product and with the proper procedures for its safe handling.

8. SPECIAL PROVISIONS:

a. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements in 49 CFR Parts 171-180.

b. 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 11702".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. Transportation of the hydrogen peroxide solutions must be by private carriers only.

b. A 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 other accident.

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. Section 5101 et seq:

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

- Registration required by 49 CFR 107.601 et seq., when applicable.

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. (49 CFR 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 at Washington, D.C.:

OCT 24 1996

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(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.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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