U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 8536 (EXTENSION)
ORIGINAL March 25, 1981
CORRECTED COPY

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 8536 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to December 31, 1990. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.105 and the public proceeding thereon. This extension constitutes a necessary part of of this exemption and must be attached to it.

JAN 13 1989

(DATE)

Alan I. Roberts
Director
Office of Hazardous Materials
Transportation

Dist: FHWA USCG

EXEMPTION HOLDER	APPLICATION DATE
Pennwalt Corporation, Lucidol Division Buffalo, NY	November 18, 1988

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

FEB 5 1990

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

DOT-E 8536
(FIRST REVISION)

1. Atochem North America, Inc., Buffalo, New York, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of wet benzoyl peroxide for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes an increase in the maximum allowable gross weight of a DOT Specification 12B box, from 65 to 80 pounds, provided the net weight (dry weight) of the contents does not exceed 50 pounds, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Pennwalt Corporation's application dated November 18, 1988, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon, and Organic Peroxides Division, Atochem North America, Inc.'s supplemental correspondence dated January 4. 1990.

3. HAZARDOUS MATERIALS (Descriptor and class). Wet benzoyl peroxide; organic peroxide.

4. PROPER SHIPPING NAME (49 CFR 172.101). Benzoyl peroxide.

5. REGULATION AFFECTED. 49 CFR 173.157(a)(5).

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle and cargo vessel.

7. SAFETY CONTROL MEASURES. Packaging prescribed is same as authorized in 49 CFR 173.157(a)(5) except that the maximum allowable gross weight for a DOT Specification 12B corrugated fiberboard box is increased from 65 pounds to 80 pounds, provided the net weight (dry weight) of the contents does not exceed 50 pounds. The DOT-12B box is constructed of 350-pound test, double-wall corrugated fiberboard with a fire retardant-coated interior and a fire retardant-coated "H" divider. Box, closed as for shipment (with 2x25 pounds inside packages of 0.004-inch polyethylene film bags) must be capable of withstanding the performance tests described in Test Report dated July 17, 1980, furnished with petitioner's application.

8. SPECIAL PROVISIONS.

a. Persons who receive packages covered by this exemption may reship them pursuant to the provisions of 49 CFR 173.22a.

b. A copy of this exemption must be carried aboard each vessel used to transport packages covered by this exemption.

9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package or packaging failure must be reported to the Office of Hazardous Materials Transportation as soon as practicable.

10. EXPIRATION DATE. December 31, 1990.

Issued at Washington, D.C.:

for Donald R. Smith

Alan I. Roberts
Director
Office of Hazardous Materials
Transportation

FEB 5 1990
(DATE)

Address all inquiries to: Director, Office of Hazardous Materials Transportation, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: USCG, FHWA