U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

OCT 19 1995

DOT-E 11119
SIXTH REVISION

EXPIRATION DATE: **June 30, 1997** for PTE 5, 7, & 14, and **November 30, 1995** for U.S. Chemical and Plastics, and all other PTEs not listed above.

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: U.S. Chemical and Plastics
Canton, Ohio
(See Appendix A to this exemption)

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain organic peroxides, as limited quantities/consumer commodities when the inside containers do not exceed 125 ml for liquids and 500 g for solids. This exemption does not provide any relief from any regulation other than as specifically stated. The granting of party status is based on the following application submitted in accordance with 107.111 and the public proceeding thereon and 107.105.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Sections 173.152

5. BASIS: This exemption is based on U.S. Chemical and Plastics' application dated October 27, 1993, submitted in accordance with 49 CFR 107.105. (SEE APPENDIX A to this exemption.)

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
Organic peroxide, type D, Liquid	5.2	UN3105	II
Organic peroxide, type D, Solid	5.2	UN3106	II
Organic peroxide, type E, Liquid	5.2	UN3107	II
Organic peroxide, type E, Solid	5.2	UN3108	II
Organic peroxide, type F, Liquid	5.2	UN3109	II
Organic peroxide, type F, Solid	5.2	UN3110	II

7. PACKAGING AND SAFETY CONTROL MEASURES: Packaging must comply with the provisions of 49 CFR Section 173.152 except that the capacity of the inside packaging may not exceed 125 ml for liquids and 500 g for solids.

8. SPECIAL PROVISIONS:

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

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

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight and motor vehicle.

10. MODAL REQUIREMENTS: None as a requirement 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. 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 unless a regulation has been amended making the exemption no longer necessary.

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.:

for J. Suzanne Hedgepeth
Alan F. Roberts
Associate Administrator
for Hazardous Materials Safety

OCT 19 1995
(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.

Dist: FHWA, FRA