U.S. Department
of Transportation

**Research and
Special Programs
Administration**

FEB 14 2000

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

DOT-E 11902
(THIRD REVISION)

EXPIRATION DATE: March 31, 2001

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Eurotainer USA, Incorporated
Somerset, New Jersey

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

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain DOT Specification IM 101 steel portable tanks containing an organic peroxide, type F, liquid (pinanyl hydroperoxide, 43%). This exemption 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 § 173.225(e)(3)(i)(B) in that pressure relief devices that differ from the regulatory requirements are authorized.

5. BASIS: This exemption is based on the application of Eurotainer USA, Incorporated dated March 12, 1999, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Organic peroxide, type F, liquid (pinanyl hydroperoxide, 43%)	5.2	UN3109	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification IM 101 steel portable tank. The setting of the pressure relief valve must be in the range of 67% to 83% of the tank test pressure in accordance with § 178.270-11(c)(1)(i). The relief valve size and pressure setting as prescribed in § 173.225(e)(3)(i)(B) are exempted.

b. TESTING - Each portable tank must be retested and inspected as specified for DOT Specification IM 101 portable tanks in § 173.32b.

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. MARKING - Each portable tank must be plainly and durably marked on two opposing sides in letters two inches high on a contrasting background "DOT-E 11902".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by 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:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- 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 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. (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 at Washington, D.C.:

FEB 14 2000

For Robert A. McGuire
Acting 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.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

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