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

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

DOT-E 8436
(FIFTH REVISION)

DEC 13 1991

1. Atochem North America, Inc., Organic Peroxide Division, Buffalo, New York, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of the hazardous materials described in paragraph 3 below for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transportation of organic peroxides, classified and described in accordance with Docket HM-181, in cargo tanks, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Pennwalt Corporation's application dated March 12, 1990 submitted in accordance with 49 CFR 107.105 and the public proceeding thereon; and Atochem North America, Inc.'s supplemental letters dated January 4 1990 and August 14, 1991.

3. HAZARDOUS MATERIALS (Descriptor and class). Organic peroxide solutions, classed as organic peroxides and other organic peroxide solutions specifically identified to, and acknowledged in writing by, this office prior to the first shipment.

4. PROPER SHIPPING NAME (49 CFR 172.101). Organic Peroxide Type C, Liquid (tert-Butyl Peroxy-acetate), Organic Peroxide Type D, Liquid, Temperature Controlled (tert-Butyl Peroxypivalate), and Organic Peroxide Type E, Liquid, Temperature Controlled (tert-Butyl Peroxy-2-Ethylhexanoate). (These descriptions are as prescribed under Docket HM-181.)

5. REGULATION AFFECTED. 49 CFR 173.21 and 173.225. (These sections are as prescribed under Docket HM-181.)

6. MODE OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a DOT Specification MC 307, MC 312 or MC 331 cargo tank.

a. The MC 331 cargo tank must be constructed in accordance with Attachment I to the application, and Atochem drawings T-85-4 (4-25-79), T-97-3 (Sheet 2 or 2, (4/19/79), T-94-4 (4/25/79), and T-95-4 (10/14/85) modified in a letter from Atochem dated June 18, 1990 on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA), with a capacity of the tank being 4500 gallons. The insulation on the tank must be covered with a steel jacket which is at least 18 gauge for tanks built prior to October 16, 1980, and 14 gauge for new construction.

b. The MC 307 or MC 312 cargo tank must be constructed in accordance with Atochem Drawings T-84-1 (4/25/79), T-92-2 (10/21/85), T-90-2 (3/6/70), and T-95-4 (10/14/85) and referenced drawings, with a 6000 gallon (nominal) water capacity. These cargo tanks must be equipped with a minimum design pressure of 35 psig, with a pressure alarm set at 30 psig and a temperature alarm set 80°F.

c. Each cargo tank must be filled to no more than 90% of water capacity at 70°F, and equipped with pressure relief devices which will prevent rupture of the filled tank when exposed to a fire.

8. SPECIAL PROVISIONS.

a. Transportation of the organic peroxide solutions must be by private carriage or by contract carrier trained in accordance with Atochem Manual on file with OHMEA.

b. The peroxide solutions must be loaded and unloaded by Atochem employees who are familiar with the products and with the proper procedures for their safe handling.

c. After loading and before transportation, a sample of the solutions must be taken from the vehicle and analyzed to ensure that the products are within the specifications shown in the application.

d. Peroxide solutions shipped under this exemption may not exceed 21 percent by weight of organic peroxide and must comply with the following:

Peroxide solution	Maximum Authorized Loading Temperature	Maximum total transport time including Loading and unloading
t-Butyl peroxy pivalate MC-20	30°F	72 hours
Peracetate MC-20	68°F	144 hours
Peroctoate MC-20	50°F	144 hours

e. A copy of this exemption must be carried aboard each motor vehicle used to transport the peroxide solution covered by this exemption.

f. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident. Drivers must check the temperature of the load every two hours and record it in the log book.

g. 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-E 8436".

9. REPORTING REQUIREMENTS: Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable.

10. EXPIRATION DATE. September 30, 1993.

Issued at Washington, D.C.

DEC 13 1991

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

December 13, 1991
(DATE)

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

Dist: FHWA.