U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

APR 20 1998

DOT-E 11766
(SECOND REVISION)

EXPIRATION DATE: November 30, 1999

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: E.I. DuPont de Nemours & Company, Inc., Wilmington, Delaware

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain DOT Specification IM 101 portable tanks in dedicated Hydrogen peroxide service which have a modified internal visual inspection frequency. 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 173.32b(b) in that the visual inspection frequency is increased to five years from two and one-half years.

5. BASIS: This exemption is based on the application of E.I. DuPont de Nemours & Company, Inc. dated December 1, 1997, submitted in accordance with 49 CFR 107.109.

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 |

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Authorized packagings are 600 DOT Specification IM 101 portable tanks mounted in ISO frames which are in dedicated hydrogen peroxide service. Tanks are constructed of stainless steel with a working pressure of 3 bar (43.5 psig) and have a capacity of either 17,500 or 20,000 liters (4623 or 5283 gallons). All tanks covered by this exemption are identified by the owner's alpha-number

serial numbers on a list on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). The grantee will notify OHMEA of any additions or deletions to this list semi-annually, if changes occur.

b. TESTING - The internal visual inspection required by 49 CFR 173.32(b) must be performed at intervals not exceeding five years. All other inspection and testing requirements and intervals specified in 49 CFR 173.32(b) apply.

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.

c. MARKING - Each portable tank must be marked in accordance with 49 CFR 173.32(e)(3). Each portable tank must be plainly marked on both sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 11766". Additionally, each portable tank specification plate must show the Competent Authority Approval number specified in paragraph 8.d.

d. This exemption serves as a Competent Authority Approval **(CA-9701004)** issued by the Associate Administrator for Hazardous Materials Safety of the United States Department of Transportation, in accordance with Section 22 of the General Introduction to the International Maritime Organization's (IMO) International Maritime Dangerous Goods (IMDG) Code.

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

10. MODAL REQUIREMENTS: A 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. 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.

Each "hazmat employee", as defined in 49 CFR 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 49 CFR 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. (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.:

APR 20 1998

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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