

January 16, 2004



U.S. Department
of Transportation

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

**Research and
Special Programs
Administration**

DOT-E 3187
(THIRTEENTH REVISION)

EXPIRATION DATE: December 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: PPG Industries, Inc.
Pittsburgh, PA
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of certain packages of organic peroxides, subject to the limitations and special requirements specified herein. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.21(f) in that a forbidden hazardous material is not authorized to be transported except as specified herein; and §§ 173.225(b) (6), 173.225(b) (7), and 173.225(d)(2) in that an alternative packaging, dilution and operational temperature control to the Organic Peroxide Packaging Method Table is not authorized except as specified herein.

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5. BASIS: This exemption is based on the application of PPG Industries, Inc., dated November 8, 2003 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Organic peroxide type B, solid, temperature controlled*	5.2	UN3112	II

* Diisopropyl proxydicarbonate (>52%)

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Isopropyl percarbonate, unstabilized, solid, packed in polyethylene trays or rectangular high density polyethylene bottles with threaded closures overpacked in a 275 pound double-wall fiberboard carton, with not more than four 1-1/2 inch diameter holes in each side and each end of the fiberboard carton, containing maximum of four bottles to a carton. Trays and cartons must be loaded into an outside container shown in H & R Industries Drawing Number HR276 or in the 20-foot trailer mounted refrigerated container approved in SA-821005..

b. Sufficient dry ice to maintain a temperature of 0°F or below must be placed in the outside container to last one and one half times the estimated time in transportation to deliver the shipment or to reach a scheduled stop where the dry ice can be replenished. Whenever dry ice is replaced en route, it must again be sufficient to maintain a temperature of 0°F or below for one and one half times the established time in transportation to its next destination.

8. SPECIAL PROVISIONS:

a. Transportation is limited to private carriage using petitioner's or customer's truck, or by a common carrier with a satisfactory DOT safety rating on an exclusive use of vehicle basis while engaged in this service.

b. 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.

c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

d. Drivers must have been instructed as to necessary safeguards and proper procedures to be implemented in the event of unusual delay, fire, or accident, and must be specifically trained in the handling of the commodity being carried.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each 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:
 - o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o 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 this 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

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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 in Washington, D.C.:



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: SCW/SDC