U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

NOV 18 1994

DOT-E 8329
(FIRST REVISION)

1. Texas Instruments, Incorporated, (TI), Dallas, Texas is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of an oxidizing material for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the use of DOT 57 portable tanks in less than truckload quantities with other hazardous materials subject to 49 CFR 177.848, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on the Texas Instruments Incorporated's application dated July 13, 1994, submitted in accordance with 49 CFR 107.105.

3. HAZARDOUS MATERIALS (Descriptor and class). 20% to 40% hydrogen peroxide solution classed as a 5.1 oxidizing material with a subsdizary hazard of Class 8.

4. PROPER SHIPPING NAME (49 CFR 172.101). Hydrogen peroxide, aqueous solutions, 5.1, UN2014.

5. REGULATION AFFECTED. 49 CFR 173.243, 177.848.

6. MODE OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a portable tank made of aluminum designed and fabricated in accordance with Section VIII of the ASME Code, Schwabel Fabricating Company's drawing no. 452, Rev. 3 and complying with DOT specification 57 except for marking. In addition:

a. The portable tank must have a design pressure of 40 psi and a 200 gallon water capacity.

b. The tank must be so designed that the internal surfaces may be effectively cleaned and passivated.

c. All openings shall be located on the top of the tank.

d. The venting and pressure relief devices must be approved by the Bureau of Explosives.

e. The tank metal certification plate must be marked "DOT-E 8329 - H_{202} instead of DOT 57.V.

8. SPECIAL PROVISIONS.

a. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of fire or accident.

b. Each portable tank must be reinspected and retested once every 2 years in accordance with 49 CFR 173.32 as prescribed for DOT Specification 57 portable tank at one and one-half times the design pressure.

c. Subject to 49 CFR 177.848, portable tanks may be loaded and transported with other hazardous materials in less than truckload quantities in TI trucks (private carriage) only.

d. 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 8329" and "FOR HYDROGEN PEROXIDE ONLY.

9. 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 laws:

- 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.

10. 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.

11. EXPIRATION DATE: July 31, 1996.

Issued at Washington, DC:

NOV 18 1994

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, U.S. 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