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

APR 8 1996

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

DOT-E 10979
(THIRD REVISION)

EXPIRATION DATE: October 31, 1997 See Appendix A for PTE Expiration date(s)

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: Degussa Corporation, Ridgefield Park, 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 DOT Specification 57 portable tanks of hydrogen peroxide, concentrations not exceeding 52%, Division 5.1 material, in less than truckload quantities. 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 173.243.

5. BASIS. This exemption is based on the application from Degussa Corporation dated July 28, 1995, submitted in accordance with 49 CFR 107.105.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
Hydrogen peroxide, aqueous solutions with not less than 20 percent but not more than 40 percent hydrogen peroxide (stabilized as necessary).	5.1	UN2014	II
Hydrogen peroxide, aqueous solution with more than 40 percent but not more than 60 percent hydrogen peroxide (stabilized as necessary).	5.1	UN2014	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging is an Intermediate Bulk Container (IBC) which meets all of the requirements of a DOT Specification 57 metal portable tank and the requirements of Chapter 26 of the International Maritime Dangerous Goods (IMDG) Code for a metallic IBC.

b. TESTING - Packaging must be tested in accordance with the requirements for a DOT Specification 57 and requirements of the IMDG Code - Chapter 26 - Metallic IBC's.

c. MARKING - Packaging must be marked in accordance with the requirements for a DOT Specification 57 and the marking requirements of the IMDG Code - Chapter 26 - Metallic IBCs.

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. Consistent with the regulations adopted under Docket HM-181E for intermediate bulk containers (IBCs), exemptions for IBC's of the type covered by those regulations will not allow new construction after September 30, 1996. Existing IBCs may be continued in service, provided renewal provisions under Section 107.105 are met, until September 30, 1998 under the conditions specified in the exemption that applies to their use. After September 30, 1998, each IBC must conform to and be certified as meeting, a UN IBC standard set forth in Subparts N and O of Part 178 of the Hazardous Materials Regulations (HMR; 49 CFR). A provision for approval of an equivalent IBC is specified in 49 CFR 178.801(i).

9. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

10. MODAL REQUIREMENTS:

a. A copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

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

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 107.106 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.

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 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.:

for Marilyn E. Morris

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

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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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