U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 8710 (EXTENSION)
FIFTH REVISION January 20, 1995

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 8710 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to July 31, 1997. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.105. This extension constitutes a necessary part of this exemption and must be attached to it.

AUG 31 1995

(DATE)

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

Dist: FHWA

EXEMPTION HOLDER	APPLICATION DATE
Akzo Nobel Chemicals, Inc. Chicago, IL	August 29, 1995

ADVISORY

IF YOU ARE A HOLDER OF AN EXEMPTION THAT AUTHORIZES THE USE OF A PACKAGING WITH A MAXIMUM CAPACITY LESS THAN 450 L (119 GALLONS) OR A MAXIMUM NET MASS LESS THAN 400 KG (882 POUNDS), PLEASE BE ADVISED THAT YOUR EXEMPTION MAY NOT BE RENEWED BEYOND SEPTEMBER 30, 1996. IN ADDITION, NO NEW CONSTRUCTION OF PACKAGINGS WHICH FALL WITHIN THE NON-BULK CAPACITIES LISTED ABOVE ARE AUTHORIZED AFTER SEPTEMBER 30, 1994. THIS IS CONSISTENT WITH THE IMPLEMENTATION OF THE NEW PACKAGING REQUIREMENTS ADOPTED UNDER DOCKET HM-181. ANY APPLICATION SUBMITTED TO THIS OFFICE TO RENEW AN EXEMPTION BEYOND THE SEPTEMBER 30, 1996 DATE WILL BE DENIED UNLESS THE APPLICATION CONTAINS SUPPORTING INFORMATION TO JUSTIFY THE CONTINUATION OF THE EXEMPTION.

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400 Seventh Street, S.W.
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DOT-E 8710
(SIXTH REVISION)

1. Akzo Nobel Chemicals Inc., Chicago, Illinois, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of certain organic peroxide solutions for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the transportation of solutions of an organic peroxide in cargo tanks, equipped with bottom outlets and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on an application from Akzo Nobel Chemicals Inc. dated August 29, 1995, submitted in accordance with 49CFR 107.103 and 107.105, and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor, UN number, and class). Organic peroxide type F, liquid (UN3109) and Organic peroxide type F, liquid, temperature controlled (UN3119), both classed as Division 5.2 (organic peroxides). The technical names for each approved peroxide is listed in Appendix A.

4. PROPER SHIPPING NAME (49 CFR 172.101). Organic peroxide type F, liquid or Organic peroxide type F, liquid, temperature controlled.

5. REGULATION AFFECTED. 49 CFR 173.225(e)(2).

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES.

a. Packagings prescribed are cargo tanks of 7,000 gallon capacity built to the ASME Code and complying with both DOT Specifications MC 307 and MC 312, and the following:

1. Cargo tanks manufactured by the Transportation Equipment Corporation also must comply with Drawing T-86540 (dated 8-13-81), Drawing T-86541-1 (dated 8-4-81) and the description of the cargo tank on page 1

of the original application from Noury Chemical Corporation on file with the OHMEA; and

2. Cargo tanks manufactured by the Heil Company also must comply with Akzo Chemicals Drawing SO3369-D1 (dated 3-18-91) and SO3369-D2 (dated 3-18-91) and the description of the cargo tank in the Akzo application on file with the OHMEA; or

3. Cargo tanks manufactured by the Heil Company also must comply with Akzo Chemicals Drawing Numbers SO3369-D1, Revision A-2 (dated 4-10-91), SO3369-D2, Revision A-2 (dated 4-10-91), and the associated specification prepared on behalf of Akzo Chemicals Inc. by The Jack Olsta Co. on file with the OHMEA.

b. Transportation of the organic peroxide solution must be by private carriage only.

c. The peroxide solution must be loaded and unloaded by employees of Akzo Chemicals who are familiar with the product and with the proper procedures for its safe handling.

d. After loading and before transportation, a sample must be taken from the vehicle and analyzed to ensure that the product is within specifications shown in the application and in subsequent filings for additional products.

e. A liquid nitrogen cooling system must be provided which has sufficient nitrogen to maintain the control temperature as listed in Appendix A of this exemption for at least 48 hours.

f. When temperature control is required as a means of stabilization for approved materials, the total transport time, including loading and unloading, may not exceed 72 hours.

g. When temperature control is not required as a means of stabilization for approved materials, the total transport time, including loading and unloading, may not exceed 14 days.

8. SPECIAL PROVISIONS.

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

b. Motor carriers operating under terms of this exemption must have a "Satisfactory" safety rating as prescribed in 49 CFR 385.

c. Drivers must have been instructed as to necessary safeguards and proper procedures 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.

d. 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 8710."

9. 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

10. EXPIRATION DATE. July 31, 1997.

Issued at Washington, D.C.:

Marilyn J. Morris

for Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

August 29, 1996
DATE

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

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.