

December 19, 2007



U.S. Department
of Transportation

East Building, PHH - 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 12003
(SEVEN REVISION)

EXPIRATION DATE: March 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Evonik Degussa Corporation
Parsippany, New Jersey
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of hydrogen peroxide aqueous solutions in concentrations exceeding 72 percent but not exceeding 92 percent by weight in DOT Specification IM 101 steel portable tanks. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.102(c)(7)(ii) Special Provision T37 in that the concentration of hydrogen peroxide solutions in water exceeds 72 percent hydrogen peroxide by weight and the total venting capacity of pressure relief devices over 72 percent but less than 92 percent is not specified.
5. BASIS: This special permit is based on the application of the Degussa Corporation dated March 3, 2006, and additional

December 19, 2007

information submitted November 9, 2007, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Hydrogen peroxide aqueous solution, stabilized or Hydrogen peroxide aqueous solutions, with more than 60 percent hydrogen peroxide	5.1	UN2015	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are six (6) DOT Specification IM 101 steel portable tanks which are lined with either PE, PVDC or PTFE plastic materials and have a capacity of 17,500 liters (4625 U.S. gallons). Tanks bearing owners serial numbers DWAU 000020-1 and DWAU 000030-4 conform to C-CAM International drawing number RE-301, REV D, dated September 3, 1998, details of manhole and nozzles on C-CAM International drawing number RE-301, Rev. D, and Nissin Gulf Coast drawing number 98-2769-AA-1, Rev.2, dated December 23, 1998 and other data and specifications on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). Tanks bearing owners serial numbers DWAU 000125-5, DWAU 000138-4, DWAU 000150-6 and DWAU 000158-0 conform to Degussa Isocontainer Modification Assembly Drawing 00-3401-AA-1 dated 12/21/00 and other data and specifications on file with the OHMSPA.

b. TESTING -

(1) Periodic testing and inspection of these portable tanks must be conducted in accordance with requirements of § 173.32b.

(2) The lining must be inspected and tested at intervals recommended by the lining manufacturer or installer but the interval may not exceed 2.5 years. The inspection and testing must be done using equipment

December 19, 2007

and procedures prescribed by the lining manufacturer or installer. Degraded or defective areas of the liner must be removed and the portable tank shell below the defect must be inspected. If the minimum thickness of the tank shell is below that specified on the identification plate, the portable tank must be removed from service.

c. OPERATIONAL CONTROLS - Before offering for transportation the hazardous material described in paragraph 6. above, samples must be taken in accordance with ISO 7161 and tests must be performed to determine that the concentration does not exceed 92 percent by weight, that the material specification is met and that the rate of decomposition does not exceed that which is normal.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit 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 special permit and the HMR.

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

c. Packagings permanently marked 'DOT-SP 12003', prior to October 1, 2007, may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packagings marked on or after October 1, 2007, must be marked 'DOT-SP 12003'.

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

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this special permit.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit 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 special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- 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 special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when the special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'special permit' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety -- OHMSPA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Theodore L. Willke
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: PTO/dl