

September 14, 2006



U.S. Department
of Transportation

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

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 11733
(FIFTH REVISION)

EXPIRATION DATE: August 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Akzo Nobel Chemicals Inc.
Chicago, IL
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of organic peroxide type F in specially modified DOT Specification cargo tank motor vehicles and provides no relief from the Hazardous Materials Regulations 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. Party status will not 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 § 178.345-10(b)(1) in that a non-reclosing pressure relief device is authorized.
5. BASIS: This special permit is based on Akzo Nobel Chemicals, Inc.'s application dated August 31, 2006 submitted in accordance with § 107.109.

September 14, 2006

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	ID number	Packing Group
Organic peroxide type F, liquid	5.2	UN3109	II
Organic peroxide type F, liquid, temperature controlled	5.2	UN3119	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Specification DOT 407 or DOT 412 cargo tank motor vehicles having additional non-specification pressure relief devices installed, as set forth in paragraph 7.b. below. The capacity of these cargo tanks is 7,000 gallons, the design pressure is 35 psig and they are designed and constructed in accordance with the ASME Code.

b. PRESSURE RELIEF - In addition to the pressure relief devices required by the respective specifications, six 12-inch non-reclosing pressure relief devices (rupture discs) must be installed as a single unit without being in series with a reclosing pressure relief device. The size and quantity of the pressure relief devices must be such that an increase in pressure of the cargo tank, due to either self-accelerating decomposition or fire engulfment, would not result in a rupture of the cargo tank.

c. TESTING - Each cargo tank must be inspected and requalified in accordance with Part 180, Subpart E, for a DOT 407 or 412 cargo tank, respectively.

d. OPERATIONAL CONTROLS -

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

2. After loading and before transportation, a sample must be taken from the cargo tank motor vehicle and must be analyzed to ensure that the product is within specifications for that product.

September 14, 2006

8. SPECIAL PROVISIONS:

a. Akzo Nobel Chemicals, Incorporated must comply with all provisions of this special permit, and all other applicable requirements in 49 CFR Parts 171-180.

MARKING - Each cargo tank motor vehicle must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background, "DOT-SP 11733".

b. Packagings permanently marked 'DOT-E 11733', 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 11733'.

c. Shipping papers displaying 'DOT-E 11733' may continue to be used until October 1, 2007, provided the special permit remains valid.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. Transportation of the organic peroxide solutions must be by private carrier only.

b. A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

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

d. Drivers must be instructed on the hazards of the material and 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.

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:

September 14, 2006

- 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 this 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 'exemption' 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

September 14, 2006

for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:

A handwritten signature in blue ink, appearing to read "R. Ryan Parker" or similar, with a large, sweeping flourish above the name.

for Robert A. McGuire
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: sln