U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

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

APR 19 2005

DOT-E 14165
(FIRST REVISION)

EXPIRATION DATE: July 31, 2005

1. GRANTEE: Saint Louis University
St. Louis, MO

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time, one-way transportation in commerce of certain infectious substances in special packagings, transported by contract carrier. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.301(a)(b) and (c) in that the marking requirements are waived; and § 173.196 in that an alternative packaging is not authorized, except as specified herein.

5. BASIS: This emergency exemption is based on the application of Saint Louis University dated February 25, 2005, submitted in accordance with § 107.117 and a determination that it is necessary in order to protect life and the environment and a supplemental letter dated April 11, 2005.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Infectious substances, affecting humans (*Risk Group 2 materials*)*	6.2	UN2814	N/A
Infectious substances, affecting animals only, (*Risk Group 2 materials*)*	6.2	UN2900	N/A

* No Risk Group 3 or 4 materials are authorized for transportation under this exemption.

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging consists of not more than nineteen (19) ultra-low temperature (-70°C) chest freezers that keep the contents frozen at all times, as described in Saint Louis University's application for exemption, on file in the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

b. There are approximately 450,000 samples of infectious substances in the freezers. The samples are stored in glass or plastic vials with screw-cap lids. They are then placed into cardboard boxes and the boxes are placed in stainless steel freezer racks. The freezers are manufactured by Thermo-Forma or Revco, Inc.

c. OPERATIONAL CONTROLS - This exemption only authorizes the transportation of packages containing infectious substances from Spring Avenue, St. Louis, MO to Lafayette Avenue, St. Louis, MO, a distance of less than one mile.

d. The transportation of the freezers will be under the supervision of personnel from Saint Louis University's Center for Vaccine Development and Saint Louis University facilities representatives.

e. The 19 ultra-low temperature chest freezers must be locked, sealed with tape and placed in a contract motor vehicle.

f. The freezers must be blocked and braced to prevent movement of the freezers within the motor vehicle.

g. Transportation of the freezers is limited to daylight hours only.

h. Vehicle operators must have a communication capability to a person at both the sending and receiving facility.

j. Personnel and equipment to mitigate an incident must be available to respond to an incident at all times a freezer is in transportation.

8. SPECIAL PROVISIONS: A current copy of this exemption must be maintained at the facility where the packages are offered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard the motor vehicle used to transport packages covered by this exemption.

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. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- Persons operating under the terms of this exemption 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 exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

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

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption 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 exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:

APR 19 2005

DATE

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: DHM-31.

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

PO: ALB