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

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

AUG 21 2002

DOT-E 12976
(FIRST REVISION)

EXPIRATION DATE: December 31, 2002

1. GRANTEE: University of Pittsburgh
Pittsburgh, PA

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time one-way transportation in commerce of live, non-human primates (NHPs; macaque monkeys) infected with Division 6.2 (infectious substance) materials. 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.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.302(c) in that the exemption number need not be marked on the package, and § 173.196 in that a non-authorized packaging may not be used, except as specified herein..

5. BASIS: This emergency exemption is based on the application of the University of Pittsburgh dated March 27, 2002, and additional information dated August 12, 2002, submitted in accordance with § 107.117 and a determination that it is necessary for the protection of life and the environment.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identification Number**	**Packing Group**
Infectious substances, affecting humans	6.2	UN2814	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging is a containment system used to transport live, infected macaque monkeys. The approximate weight of each macaque is between 4 to 10 kg (8 to 22 pounds). Each macaque must be anesthetized prior to transport. Containment and transport of the macaques falls into two catagories: animals handled under Animal Biosafety Level 3 (ABSL-3) and animals handled under Animal Biosafety Level 2 (ABSL-2), as defined in *Biosafety in Microbiological and Biomedical Laboratories*, 4th edition, May 1999, Centers For Disease Control and Prevention.

(1) ABSL-3. A total of approximately 12 macaques, infected with *Mycobacterium tuberculosis*, may be transported; however, no more than 6 macaques may be transported at one time. Each anesthetized macaque must be place into an aluminum/stainless steel NHP transport cage, one macaque to a cage. Each cage must be padlocked. The outer surfaces of each cage must be decontaminated. Not more than three cages must be placed into a HEPA-filtered Portable Isolation Transport Unit (unit), manufactured by Plas Labs, Inc. (Model FIC 36-1/B with portable battery pack). The outer surfaces of each unit must be decontaminated. No more than two units may be transported at one time in the transport vehicle.

(2) ABSL-2. A total of approximately 200 macaques, infected with Simian Immunodeficiency Virus (SIV; *Trypanosoma cruzi*), may be transported; however, no more than 24 macaques may be transported at one time. Each anesthetized macaque must be placed into an aluminum/stainless steel NHP cage, one macaque to a cage. Each cage must be padlocked. The outer surfaces of each cage must be decontaminated. No more than 24

cages may be transported at one time in the transport vehicle.

b. OPERATIONAL CONTROLS:

(1) Transport of the caged macaques is only authorized between the existing animal facility on the University of Pittsburgh campus to the newly constructed animal facility, a distance of approximately 15 miles.

(2) Caged macaques must be transported in a University of Pittsburgh transport vehicle (box truck) designed for and dedicated to the transport of animals. The cargo area of the box truck must have vinyl-coated walls, metal flooring, metal ceiling, and a tight-sealing door with a lock. After loading the caged macaques, and prior to transport, the cargo area door must be locked.

(3) Caged macaques at ABSL-3 must not be transported in the box truck with caged macaques at ABSL-2.

(4) At least two full time animal care technicians/ animal transport drivers who are familiar with the animals must load and unload the macaques and operate the box truck. The University of Pittsburgh veterinarian, veterinary care staff, environmental health and safety representatives, and motor pocl mechanics must be ready to respond to any problems during transport. An equivalent backup transport vehicle must be available.

(5) Caged macaques must be transported during off-peak (non-rush hour) highway hours.

(6) The cargo area of the box truck must be disinfected and then rinsed after each trip.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be maintained at each facility where the package is offered for transportation.

b. The marking requirement in § 172.302(c) is waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each 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.

    - 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: 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. (Sections 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 inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

AUG 21 2002
(DATE)

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.

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: DL/GC