U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

MAY 30 2000

DOT-E 12466

EXPIRATION DATE: February 28, 2001

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Stericycle, Inc.
Lake Forest, Illinois

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the transportation in commerce of a waste culture or stock of infectious substances as a regulated medical waste and certain quantities of mercury in a transport vehicle dedicated to the transportation of medical waste when transported in an exclusive use vehicle. 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: The requirement to use a vehicle dedicated to the transportation of medical waste specified in § 173.134(b)(4)(iii).

5. BASIS: This emergency exemption is based on the application of Stericycle, Inc., dated May 1, 2000, and supplemental information, dated May 22, 2000, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Proper Shipping Name/ Hazardous Materials Description | Hazard Class/ Division | Identi- fication Number | Packing Group |
|---|---|---|---|
| Regulated medical waste | 6.2 | UN3291 | II |
| Mercury | 8 | UN2809 | III |

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) Regulated medical waste and a waste culture or stock of infectious substances transported as a regulated medical waste must be packaged in accordance with the requirements specified in § 173.197.

(2) Mercury must be shipped as follows:

i. The inner receptacle is a leak-tight plastic flask with a maximum capacity of 2.3 kg (5 pounds).

ii. The plastic inner receptacle is placed in a 19 L (5 gallon) plastic container with a screw-locked top certified at the PG III performance level. Sufficient foam-type packing material must be placed around the plastic flasks of mercury to prevent them from breakage and movement within the 19 L (5 gallon) plastic container.

iii. The 19 L (5 gallon) plastic container is secured inside a 60 L (16 gallon) plastic tub meeting the requirements of § 173.164 and certified at the PG II performance level.

b. OPERATIONAL CONTROLS -

(1) The net weight of mercury in each 19 L plastic container must not exceed 11.4 kg (25 pounds).

(2) Not more than two (2) 19 L plastic containers may be packed in a plastic tub. The gross weight of the tub must not exceed 27.2 kg (60 pounds).

(3) Not more than one tub may be transported in a transport vehicle.

(4) A label and marking for mercury must be shown on the outside of each plastic container and plastic tub.

(5) The plastic tub must be securely closed and secured against movement in the transport vehicle.

(6) No commingling of regulated medical waste and mercury is authorized.

(7) Regulated medical waste and mercury must be segregated in the transport vehicle.

8. SPECIAL PROVISIONS: This exemption authorizes the transport of mercury collected from dental offices within the Commonwealth of Massachusetts, and a waste culture or stock of infections substances transported as regulated medical waste in the same transport vehicle, to a storage facility within the Commonwealth of Massachusetts.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A 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.

- 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: 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 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.:

MAY 30 2000
(DATE)

Robert A. McGuire
Acting Associate Administrator
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590-0001. Attention: DHM-31.

MAY 30 2000



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.

PO: Steve Hwang