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

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

OCT 2 2003

DOT-E 13298

EXPIRATION DATE: December 31, 2003

1. GRANTEE: King and Queen Sanitary Landfill (BFI)
Little Plymouth, Virginia

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the transportation in commerce of a non-DOT specification bulk container containing solid waste materials commingled with Regulated Medical Waste. 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 § 173.197 in that the bulk packaging is not authorized except as specified herein.

5. BASIS: This emergency exemption is based on the application of King and Queen Sanitary Landfill dated October 1, 2003, 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):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Regulated Medical Waste	6.2	UN3291	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are (2) non-DOT specification roll-off containers, constructed of metal frame and metal walls, containing regulated medical waste (RMW) commingled with unregulated solid wastes. The containers are leakproof and have smooth, non-porous interior surfaces which are free from cracks, crevices and other defects that could damage inner packaging or obstruct decontamination operations. The containers have bottom and side joints of fully welded seams or seamless construction and a rigid weatherproof top that prevents the intrusion of water (e.g., rain or snow).

b. OPERATIONAL CONTROLS -

(1) Any release of waste must be cleaned up and the affected area must be decontaminated.

(2) Free liquid RMW material is not authorized.

(3) The container must be decontaminated after unloading.

8. SPECIAL PROVISIONS:

a. This emergency exemption authorizes the one-time transportation by private motor carrier of (2) roll-off containers containing Regulated Medical Waste from Little Plymouth, VA to Norfolk, VA.

b. Transportation will be performed by American Waste Industries, Inc.

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 the package 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 in Washington, D.C.:

OCT 2 2003
(DATE)

Robert A. McGuire
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. 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/PTO