U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

APR 9 1996

DOT-E 11588
(FIRST REVISION)

EXPIRATION DATE: **December 31, 1997** **See Appendix A for PTE Expiration date(s)**

(FOR RENEWAL, SEE 49 CFR SECTION 107.105)

1. GRANTEE: Browning-Ferris Industries Medical Waste Systems (BFI), Houston, Texas.

   (See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION: This exemption authorizes the offering and transportation in commerce of certain cultures and stocks of infectious substances, when described and packaged as regulated medical waste under the provisions of 49 CFR 173.134 and 173.197, subject to conditions and limitations specified herein. This exemption provides no relief from any regulation other than as specifically stated herein.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Part 173.134(a)(4) limits the definition of regulated medical waste to exclude discarded cultures and stocks of infectious substances. This exemption expands the definition of *regulated medical waste* to include discarded cultures and stocks in Biosafety Levels 1, 2 and 3 as defined in HHS Publication NO. (CDC) 93-8395, Biosafety in Microbiological and Biomedical Laboratories, 3rd Edition, May 1993, Section II.

5. BASIS: This exemption is based on the application of Browning-Ferris Industries Medical Waste Systems dated February 13, 1996, and supplemental information dated December 14, and December 19, 1995, submitted in accordance with 49 CFR 107.103.

* See Appendix A for different Expiration dates.

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

This exemption authorizes the offering and transportation of discarded cultures and stocks of infectious substances which conform to Biosafety Levels 1, 2 and 3, as defined in HHS Publication NO. (CDC) 93-8395, Biosafety in Microbiological and Biomedical Laboratories, 3rd Edition, May 1993, Section II.

7. PACKAGING AND SAFETY CONTROL MEASURES: Packaging must conform to requirements of 49 CFR 173.197 or to any current exemption that authorizes the transportation of regulated medical waste. The packaging exception provided by 49 CFR 173.134(b)(3)(ii) does not apply.

8. SPECIAL PROVISIONS:

a. Shippers using a packaging authorized by this exemption shall comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

b. MARKING - Markings shall meet the requirements for the transportation of regulated medical waste. The marking provisions of 49 CFR 172.301(c) does not apply to non-bulk packaging used under the provisions of this exemption.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. Only private or contract motor freight carriers using vehicles dedicated to the transportation of medical waste are authorized; no common carriers may be used.

b. A copy of this exemption shall 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. Section 5101 et seq:

    - All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
    - Registration required by 49 CFR 107.601 et seq., when applicable.

    No person may use or apply this exemption, including display of its number, when the 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 incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

APR 9 1996
(DATE)

Alan I. Roberts
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.

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.

Dist: FHWA
PO: PTO

APPENDIX A

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with 49 CFR 107.107 and the public proceeding thereon or 107.109, as appropriate:

Company Name City/State	Application Date	PTE	Expiration Date	Issue Date
Persons represented by the Medical Waste Institute Washington, DC as their agent	12/14/95	1	12/31/97	4/9/96
Persons represented by the American Clinical Laboratory Assn. Washington, DC as their agent	2/13/96	2	12/31/97	4/9/96
Stericycle Deerfield, IL	12/27/95	3	12/31/97	4/9/96
Allegro Carting & Recycling, Inc. Hoboken, NJ	1/11/96	4	12/31/97	4/9/96
Interboro Disposal & Recycling Corp. Hoboken, NJ	1/11/96	5	12/31/97	4/9/96
Oregon Refuse & Recycling Association Salem, OR	8/27/97	6	8/31/99	9/12/97
Med Compliance Services, Inc., of Texas El Paso, TX	12/26/95	7	12/31/97	4/9/96
Regional Carting, Inc. Keyport, NJ	1/16/96	8	12/31/97	4/9/96
BioSystems Farmingdale, NY	1/15/96	9	12/31/97	4/9/96

Company Name City/State	Application Date	PTE	Expiration Date	Issue Date
Sci-Med Waste Systems, Inc. Glen Allen, VA	1/15/96	10	12/31/97	4/9/96
Environmental Waste Reductions, Inc. Atlanta, GA	1/17/96	11	12/31/97	4/9/96
Envirotech Enterprises, Inc. Tucson, AZ	1/25/96	12	12/31/97	4/9/96
Applied Recovery, Inc. c/o Dixie Midwest Beaver Dam, KY	1/19/96	13	12/31/97	4/9/96
Bluegrass Med-Waste, Inc. c/o Dixie Midwest Beaver Dam, KY	1/19/96	14	12/31/97	4/9/96
Bluegrass Med-Waste of Pa, Inc. c/o Dixie Midwest Beaver Dam, KY	1/19/96	15	12/31/97	4/9/96
Health Care Waste Services, Inc. Bronx, NY	1/17/96	16	12/31/97	4/9/96
Micro-Med Industries, Inc. Jacksonville, FL	1/25/96	17	12/31/97	4/9/96
T.J. Egan Waste Systems Bloomfield, NJ	1/26/96	18	12/31/97	4/9/96
SafeWaste Corporation Charlotte, NC	1/22/96	19	12/31/97	4/9/96
Sharps Incinerator of Fort, Inc. Fort Atkinson, WI	1/22/96	20	12/31/97	4/9/96

Company Name City/State	Application Date	PTE	Expiration Date	Issue Date
New York Environmental Services Corporation Oneonta, NY	1/30/96	21	12/31/97	4/9/96
CITY Medical Waste Services, Inc. Hamtramck, MI	1/22/96	22	12/31/97	4/9/96
CAL-VA, Inc. Chantilly, VA	1/26/96	23	12/31/97	4/9/96
Laidlaw Medical Services, Inc. Haverhill, MA	1/29/96	24	12/31/97	4/9/96
Med Compliance Services, Inc. Albuquerque, NM	12/26/95	25	12/31/97	4/9/96
Waste Management of Ohio Livonia, MI	2/2/96	26	12/31/97	4/9/96
Medico Environmental Services, Inc. Clearwater, FL	2/5/96	27	12/31/97	4/9/96
Trans Med Ltd. Ronkonkoma NY	2/26/96	28	12/31/97	4/9/96
A-1 Medical Waste Removal, Inc. Staten Island, NY	2/23/96	29	12/31/97	4/9/96
Regniers Refrigerated Express New Castle, DE	3/12/96	30	12/31/97	4/9/96
Coast Medical Supply, Inc. d/b/a Coast Medical Services, Inc. Fair Haven, NJ	3/20/96	31	12/31/97	4/9/96
Solid Waste Technologies, Inc. Jamesburg, NJ	4/5/96	32	12/31/97	4/9/96

Company Name City/State	Application Date	PTE	Expiration Date	Issue Date
The American Type Culture Collection Rockville, MD	4/8/96	33	12/31/97	6/10/96
Culver Enterprises, Inc. Salisbury, MD	4/16/96	34	12/31/97	6/10/96
Safety Disposal System, Inc. Opa Locka, FL	4/15/96	35	12/31/97	6/10/96
Health Care Incinerators, Inc. Fargo, ND	9/30/97	36	8/31/99	11/21/97
GRP & Associates, Inc. Clear Lake, IA	10/3/97	37	8/31/99	11/21/97
Red Environmental Disposal, Inc. Central Islip, NY	5/27/96	38	12/31/97	7/11/96
American Waste Industries, Inc. Norfolk, VA	6/19/96	39	12/31/97	9/3/96
American Medical Disposal Oklahoma City, OK	6/14/96	40	12/31/97	9/3/96
Nvision Works, Inc. Navesink, NJ	7/17/96	41	12/31/97	9/3/96
Medihaul, Inc. Orion, MI	7/17/96	42	12/31/97	9/3/96
Medical Waste Transport, Inc. Sioux Falls, SD	8/15/96	43	12/31/97	11/20/96
Mid America Environmental Waste Protection Services, Inc. Boonville, IN	12/11/97	44	8/31/99	12/16/97

MAY 26 1998

Company Name City/State	Application Date	PTE	Expiration Date	Issue Date
* Medwaste Management, Inc. of New England North Haven, CT	9/24/97	45	8/31/99	5/26/98
Alpha Medical Waste Removal, Inc. Staten Island, NY	3/6/97	46	12/31/97	3/26/97

Alan I. Roberts
for Associate Administrator for
Hazardous Materials Safety