U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

SEP 25 1992

DOT-E 10748
(SECOND REVISION)

1. McGil Specialized Carriers, Inc., Marietta, Georgia is hereby granted an emergency exemption from certain provisions of this Department's Hazardous Materials Regulations to transport in commerce packages prescribed herein of a Radioactive material, subject to the limitations and special requirements specified herein. This exemption authorizes the transport of radioactive material; using an alternative route which is not a state designated route, or an interstate, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on McGil Specialized Carriers' application dated September 15, 1992 and supplemental letter dated September 23, 1992, submitted in accordance with 49 CFR 107.113 and a determination that it is necessary for the protection of life.

3. HAZARDOUS MATERIALS (Descriptor and class). A highway route-controlled quantity of Radioactive material in a Type B packaging, classed as Radioactive material.

4. PROPER SHIPPING NAME (49 CFR 172.101) Radioactive material, n.o.s.

5. REGULATION(S) AFFECTED. 49 CFR Section 177.825(b), and 49 CFR Part 107, Appendix B(1).

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES.

a. Packaging is as prescribed in 49 CFR Section 173.416(c) and is being transported under U.S. Competent Authority Certificate USA/0333/B(U), Revision 4, for the Model SV-34 packaging. The shipment is from the Department of Energy in Oak Ridge, TN to CIS-Bio International in Sacley, France. The shipment to JFK Airport in New York city shall meet all applicable requirements of 49 CFR 177.825 except for the final highway route from I-78 in New Jersey to JFK Airport in Long Island, New York. For this final leg of the highway route there are no routes which are exclusively interstate routes nor interstate routes with New Jersey-designated alternative-preferred routes. The route from I-78 in New Jersey to JFK Airport in Long Island, New York shall be as listed in the following paragraph 7.b.

b. Transit shall be from I-78 near Perth Amboy, New Jersey onto I-287, which becomes NJ 440; enter New York at Staten Island onto I-278; and exit I-278 onto I-495 (Long Island Expressway); exit I-495 onto I-678 (Van Wyck Expressway), which goes to JFK Airport.

8. SPECIAL PROVISIONS.

a. A copy of this exemption must be carried aboard the motor vehicle used to transport the package covered by this exemption.

b. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire, or accident.

c. Motor carriers operating under the terms of this exemption must have a "Satisfactory" safety rating as prescribed in 49 CFR Part 385.

d. The package marking provision of 49 CFR Part 107, Appendix B paragraph (1) is waived. The other provisions of the appendix must be met.

9. REPORTING REQUIREMENTS. Any incident or accident involving loss of packaging contents, packaging failure, delay of shipment, personal injury, death, emergency response, or intentional obstruction of transportation must be reported immediately to the Associate Administrator for Hazardous Materials Safety as soon as practicable.

10. EXPIRATION DATE. October 14, 1992.

Issued at Washington, D.C.:

SEP 25 1992

Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Program.

Dist: FHWA.