U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

FEB 25 1993

DOT-E 10889

1. Safe Way Disposal Systems (SWDS), Inc., Middletown, Connecticut, is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to transport in commerce non-DOT specification dual packagings of regulated medical waste, subject to the limitations and special requirements specified herein. This exemption authorizes the use of SWDS Model 1800 carts as outer packagings for the highway transportation of regulated medical waste packaged in dual packagings and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on the application of Safe Way Disposal Systems, Inc. dated August 24, 1992, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Regulated medical waste classed as Division 6.2 material.

4. PROPER SHIPPING NAME (49 CFR 172.101). Regulated medical waste.

5. REGULATION(S) AFFECTED. 49 CFR 171.8, 172.101 Column (8.c) and 173.197.

6. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a dual packaging which consists of an outer packaging and an inner packaging as follows:

a. The outer packaging is the SWDS Model 1800 medical waste container. It has a seamless leakproof base of molded polyethylene, with hinged, latched lid, mounted on 4 casters, having a capacity of 680 L (180 gallons). The outer packaging must be capable of meeting the requirements of 49 CFR 178.603 (drop test) and 178.606 (stacking test), as specified for the Packing Group II performance level for solids.

i. The outer packaging may be reused provided it has an interior surface that is smooth, non-porous and free of cracks or other defects that could obstruct decontamination operations. The exterior surface must be non-porous and easy to decontaminate.

ii. Prior to being reused, the outer packaging must be decontaminated.

iii. The outer packagings are authorized for the transportation of regulated medical waste only if such packagings are dedicated exclusively to the transportation of waste materials.

b. All regulated medical waste must be contained in inner packagings that are securely closed and leak resistant.

i. Plastic film bags may not exceed a volume of 150 L (40 gallons) and must have film thicknesses of no less than 3 mils.

ii. Puncture-resistant sharps containers may not be greater than 38 L (10 gallons) in volume.

iii. Inner packagings for liquids may not exceed 19 L (5 gallons) capacity and must meet the non-bulk packaging standards for Packing Group I for liquids.

c. Waste materials containing small amounts of liquid may be packaged as a solid provided the inner container has sufficient absorbent materials to absorb and retain all liquid during transportation.

8. SPECIAL PROVISIONS.

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

b. The outside of each outer packaging must be plainly and durably marked "DOT-E 10889".

c. Prior to transporting a package containing regulated medical waste, the carrier must perform an external visual inspection of each outer packaging to determine that it is properly closed and free of leakage.

d. The holder of this exemption is responsible for informing the persons responsible for placing waste materials in inner packagings of the limitation on liquids in packagings for solids.

9. REPORTING REQUIREMENTS. Any incident involving loss of packaging contents, packaging failure, human illness resulting from the handling of regulated medical waste, or the unauthorized use of a dedicated vehicle, must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.)

10. EXPIRATION DATE. January 31, 1995.

Issued at Washington, D.C.:

FEB 25 1993

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 Branch.

Dist: FHWA