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

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

NOV 25 1998

DOT-E 12188

EXPIRATION DATE: **December 1, 1998**

1. GRANTEE: BFI Waste Systems of North America, Inc. Baltimore, Maryland

2. PURPOSE AND LIMITATION:

   a. This emergency exemption authorizes the one-way, one-time transportation in commerce of a 40 cubic yard compactor container containing regulated medical waste. This exemption provides no relief from any Hazardous Materials Regulation (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 172.101 column 8(c) for Regulated medical waste, in that bulk transportation is not authorized.

5. BASIS: This exemption is based on the application of BFI Waste Systems of North America, Inc. dated November 24, 1998, submitted in accordance with 49 CFR 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

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The authorized packaging is a 40 cubic yard compactor container containing municipal solid waste. Prior to departure of the vehicle, the compactor door will be opened and the gasket will be inspected and repaired or replaced as necessary to assure good condition. Absorbent material will be placed inside the compactor door to further assure that no liquid leakage will occur during transportation.

b. OPERATIONAL CONTROLS - The compactor container will be accompanied by a trailing escort vehicle to observe that no material is released in transportation. Any release of waste will be cleaned up and decontaminated.

8. SPECIAL PROVISIONS: a. This exemption authorizes the one-way, one-time transportation of regulated medical waste from the Ogden Martin facility in Alexandria, VA to a disposal site in Norfolk, VA, as recommended by the Virginia Department of Environmental Quality.

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 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. 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.

Each "Hazmat employee", as defined in 49 CFR 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 49 CFR 172.700 through 172.704.

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 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.:

NOV 25 1998

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, 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.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

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