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

RSPA-99-6456

JAN 12 2000

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

DOT-E 12364
(FIRST REVISION)

EXPIRATION DATE: April 15, 2000

1. GRANTEE: American Red Cross (New York-Penn Region) Syracuse, NY

2. PURPOSE AND LIMITATION:

   a. This emergency exemption authorizes the one-time transportation in commerce of two CC 30 shells which each contain one IBL 437C blood irradiator. Under the provisions of this exemption, the package is considered a "Type B" package and is approved for domestic transport. This package has previously been approved by DOT as a "Type B" package for international transport. This exemption provides no relief from any regulation other than as specifically stated herein.

   b. The safety analysis performed in the 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 § 173.403 in that this "Type B package" may not meet all the conditions set forth in 10 CFR Part 71. 49 CFR § 173.413 in that this package may not be designed and constructed to meet all the applicable requirements specified in 10 CFR Part 71. 49 CFR § 173.416 in that this package is not listed as an authorized Type B package. 49 CFR § 173.467 in that this package may not meet all the test requirements prescribed in 10 CFR Part 71 for ability to withstand accident conditions in transportation.

5. BASIS: This emergency exemption is based on the application of the New York-Penn Region of the American Red Cross dated October 5, 1999, submitted in accordance with § 107.117 and a determination that it is necessary in order to protect life, and an additional letter dated January 7, 2000.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Radioactive material, n.o.s.	Class 7	UN 2982	N/A

7. SAFETY CONTROL MEASURES:

a. The package transported under this exemption must comply with all the provisions of U.S. Certificate of Competent Authority No. USA/0483/B(U)-85, Revision 3.

b. In accordance with the application, one package will be transported from the American Red Cross facility located at 636 South Warren Street, Syracuse, New York to the American Red Cross facility located at 800 North Pearl Street, Albany, New York and one package will be transported from the American Red Cross facility located at 50 Prince Street, Rochester, New York to the American Red Cross facility located at 825 John Street, West Henrietta, New York. Each package must be transported as an exclusive use shipment as defined in 49 CFR § 173.403 and be escorted by an employee of CIS-US, Inc. or J.L. Shepherd and Associates who is trained in radiation protection.

8. SPECIAL PROVISIONS: A current copy of this exemption must be maintained at each facility where the package is offered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: None as a requirement of 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 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. (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 at Washington, D.C.:

J. Suzanne Hedgspeth

Robert A. McGuire
Acting Associate Administrator for
Hazardous Materials Safety

JAN 12 2000
(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, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

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