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

JUL 17 2001

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

DOT-E 12764

EXPIRATION DATE: October 1, 2001

1. GRANTEE: Our Lady of Mercy Medical Center (OLMMC)
Bronx, NY

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time transportation in commerce of a CC 30 shell containing an 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 exemption provides no relief from any Hazardous Materials Regulation (HMT) 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 the package does not conform to all of the provisions set forth in 10 CFR Part 71; § 173.413 in that the package is not designed and constructed to meet all the applicable requirements specified in 10 CFR Part 71; § 173.416 in that the package is not listed as an authorized Type B package; § 173.467 in that the package does not meet 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 OLMMC dated July 3, 2001, submitted in accordance with § 107.117 and a determination that it is necessary to protect life.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Radioactive material, n.o.s.	7	UN2982	N/A

7. SAFETY CONTROL MEASURES:

a. The package transported under this exemption must comply with all the provisions of French Certificate of Competent Authority No. F/327/B(U)-85, Revision Ef (attached).

b. The package is only authorized for a one-time transportation from the OLMMC facility in White Plains, NY to the OLMMC facility in Bronx, NY. The package must be transported as an exclusive use shipment as defined in § 173.403 and be escorted by an individual who is trained in radiation protection.

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

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each 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. 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 this 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 in Washington, D.C.:

JUL 17 2001
(DATE)

Robert A. McGuire
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.

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.

PO: RWBoyle