SEP 19 1994

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

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

DOT-E 10903

EXPIRATION DATE: August 25, 1996

(FOR RENEWAL, SEE 49 CFR SECTION 107.105.)

1. GRANTEE: National Medical Waste, Inc., Nashville, Tennessee.

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of regulated medical waste in non-DOT specification packagings described in Paragraph 7 below, subject to the requirements specified herein. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Sections 171.8, 172.101 Column (8c), and 173.197.

5. BASIS. This exemption is based on the application of National Medical Waste, Inc., dated September 27, 1992, and supplemental information dated January 11, 1993, submitted in accordance with 49 CFR 107.103 and the public process thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
Regulated medical waste	6.2	NA9275	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - This exemption authorizes the use of high density polyethylene injection molded bins as outer packagings for the transportation of regulated medical waste in dual packagings.

i. Packaging prescribed is a dual packaging which consists of an outer packaging and an inner packaging as follows:

A. The outer packaging is a high density polyethylene injection molded bin not greater than 800 L (211 gallons) in size. Each bin is a solid, one-piece body of smooth wall injected molded construction, with hinged and gasketed lid. The outer packaging must be capable of meeting the requirements of 49 CFR 178.603 (drop test) and 178.606 (stacking test), as applicable to boxes, as specified for the Packing Group II performance level.

B. 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.

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

D. The outer packagings are authorized for the transportation of regulated medical waste only if they are dedicated exclusively for the transportation of waste materials.

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

iii. Plastic film bags may not exceed a volume of 150 L (40 gallons) and must have film thicknesses of not less than 3 mils.

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

v. 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.

vi. 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.

b. TESTING - The outer packaging must be tested and certified for meeting the requirements of 49 CFR 178.603 (drop test) and 178.606 (stacking test), prior to first shipment.

c. MARKING - The outside of each outer packaging must be plainly and durably marked "DOT-E 10903".

8. SPECIAL PROVISIONS.

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

c. Outer packagings that contain regulated medical waste are authorized for transportation only on vehicles dedicated exclusively for transporting waste materials.

d. 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.

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

9. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each motor vehicle used to transport packages 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 laws:

- 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 seq., when applicable.

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 unless a regulation has been amended making the exemption no longer necessary.

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(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

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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.

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