

July 13, 2010



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14956

EXPIRATION DATE: January 31, 2011

1. GRANTEE: American Type Culture Collection (ATCC)
Manassas, VA
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the one time, one-way transportation in commerce of certain Category A infectious substances by motor vehicle in alternative inner packaging packed in a double-wall stainless steel liquid nitrogen freezer. The freezer serves as the outer packaging. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subpart C in that alternative shipping papers documentation is authorized, §§ 172.301(a), 172.301(b) and 172.301(c) in that the marking requirements are waived, and §§ 173.196 and 178.609 in that alternative packaging is authorized.
5. BASIS: This special permit is based on the application of American Type Culture Collection (ATCC) dated December 14, 2009 submitted in accordance with § 107.105, additional information dated February 4, 2010, and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Infectious substances, affecting humans	6.2	UN2814	N/A

7. SAFETY CONTROL MEASURES:a. PACKAGING

(1) Infectious substances in the form of frozen or freeze-dried material, as listed in the special permit application, must be packed in sealed ampules, screw-capped vials, or water-tight bottles (primary receptacles) and overpacked in small boxes. The volume of culture material in each ampule or vial may not exceed 1.0 mL except for eight (8) bottles of 50 to 100 mL each. The filled boxes must be secured on inventory racks of a liquid nitrogen freezer which serves as the outer packaging.

(2) The liquid nitrogen freezer is constructed of double-wall stainless steel with vacuum insulation. The nitrogen freezer must be filled with sufficient liquid nitrogen prior to movement to keep the primary receptables frozen at all times.

(3) The contents of the freezer must be secured against movement, and the freezer must be secured against movement in the transport vehicle. The freezer door must be secured with double locks to prevent opening during transportation.

b. OPERATIONAL CONTROLS:

(1) This special permit authorizes the transport of one (1) liquid nitrogen freezer containing infectious substances in small boxes from a U.S. Army facility in Aberdeen Proving Ground, Maryland to the ATCC facility

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in Manassas, Virginia. The freezer contents must be prepared under ATCC supervision, and transported using a Federal Express Custom Critical vehicle driven by two FedEx Custom Critical drivers, each with a Hazardous Materials Endorsement on their CDL, and escorted by ATCC personnel, as outlined in the application for special permit.

(2) An itemized list of contents must be securely attached to the outside of the freezer.

(3) Emergency responders and equipment necessary to mitigate a spill must accompany the transport vehicle.

8. SPECIAL PROVISIONS:

a. The shipping paper requirements of 49 CFR Part 172 Subpart C and the marking requirements of 49 CFR 172.301(a), (b) and (c) are waived

b. Emergency responders and escorts must have an itemized list of the contents of the freezer.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.

10. MODAL REQUIREMENTS: A copy of this special permit must be carried aboard the motor vehicle used to transport the package covered by this special permit.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: GCushmac