

May 13, 2021



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 21188
(FIRST REVISION)
(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the one-way transportation in commerce of non-human primates (NHPs) infected with Division 6.2 (infectious substance) hazardous materials in special 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. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.199(a)(1) in that alternative packaging is authorized, as provided herein.

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5. BASIS: This special permit is based on the application of National Institutes of Health dated May 2, 2021, submitted in accordance with § 107.107.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous Material Description | | | |
|----------------------------------|------------------------|-----------------------|---------------|
| Proper Shipping Name | Hazard Class/ Division | Identification Number | Packing Group |
| Biological substance, Category B | 6.2 | UN3373 | N/A |

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Packaging prescribed is a USDA transport enclosure, which meets the requirements as defined in the Animal Welfare Act for transporting animals infected with Biological substance, Category B (as described in the application on file with PHMSA):

(1) Each "enclosure" must be fully-enclosed to securely contain each animal and no openings shall be large enough for an animal to put any part of its body outside of the primary enclosure.

(2) The enclosure must be large enough to contain the animal and must not allow the animal to put any part of its body outside of the enclosure. Except for a mother and nursing infant, an established male-female pair, a family group, or a compatible juvenile pair, only one animal may be transported in an enclosure.

(3) The openings must be secured with animal-proof devices to prevent accidental opening.

(4) The bottom of each enclosure must be either a solid, spill-proof bottom or a removable, spill-proof tray under a slatted or mesh floor. Each style of floor must prevent seepage of waste products outside of the

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enclosure. The slatted or mesh floor must be constructed so that the animal cannot put any part of its body through the raised floor.

(5) Each enclosure must be free of sharp points, edges, or protrusions that could injure the animal within, exposing blood.

(6) Each enclosure must be destroyed after the shipment is completed.

b. OPERATIONAL CONTROLS:

(1) This special permit authorizes one-way shipments of special packages ("enclosures") from a national research center approved by the National Institutes of Health (NIH).

(2) Each shipment may not exceed a maximum of twenty-seven (27) infected animals.

(3) A minimum of two employees must be in place to conduct transport activities. Upon departure from the shipping facility with the animals on board, the receiving facility must be notified that the shipment is underway, and an approximate time of arrival. If an emergency arises, the transporter must contact both the shipping and terminal facility by phone and gather instructions from the responsible person for the shipment. The employees must wear personal protective equipment at all times when handling the enclosures.

(4) The carrier must have detailed emergency response procedure in place (which is on file with PHMSA) for any contingencies that arise during transport. The carrier must have a US DOT number and be registered with the USDA as a Class T carrier capable of transporting animals.

(5) Transportation must occur during non-peak hours of transportation using the most direct route with no unnecessary stops.

(6) The cargo bay of the transport vehicle(s) must be access restricted and secured during transportation.

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(7) The cargo area of the transport vehicle(s) must be thoroughly cleaned and disinfected at the receiving facility after the animals have been removed from the vehicles.

8. SPECIAL PROVISIONS:

a. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

b. MARKING: Marking, labeling, and USDA certifications for shipping the animals must be securely attached to the outside of the enclosure where they are easily noticed and read.

c. Party status to this special permit is limited to national research centers that are approved by the NIH.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

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

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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 William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials 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 <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: RV/BenM/TG