



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

November 07, 2024

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 21441
(FIRST REVISION)

EXPIRATION DATE: 2026-10-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: K&M Transportation Services, LLC
Dover, DE
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of Division 6.2 infectious substances and biological substances in alternative packagings (freezers) in a dedicated, specially designed transport vehicle. 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 § 173.196(a) and (b), and § 173.199 in that packaging requirements are waived; and § 178.609 in that test requirements for packagings are waived.
5. BASIS: This special permit is based on the application of K&M Transportation Services, LLC dated October 10, 2024, submitted in accordance with § 107.109.

Tracking Number: 2024104610

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Biological substance, Category B	6.2	UN3373	N/A
Infectious substances, affecting animals only*	6.2	UN2900	N/A
Infectious substances, affecting humans*	6.2	UN2814	N/A

*Infectious substances for which effective treatments and preventive measures are not usually available are not allowed under this special permit.

7. SAFETY CONTROL MEASURES:a. PACKAGING:

(1) Infectious substances and biological substances, as listed in Paragraph 6, must be packaged as follows:

(i) Primary packaging: Materials must be packed in securely sealed watertight glass or plastic vials with a maximum capacity of 5 mL. Vials must be capable of withstanding cryogenic storage.

(ii) Secondary packaging: No more than eighty-one (81) vials, secured in individual cells by separators may be packed inside a closed fiberboard box. Fiberboard boxes shall be further packaged in a heat-sealed plastic bag containing sufficient absorbent material to serve as dunnage and absorb the contents of the primary containers in the case of vial breakage. Each heat-sealed bag shall contain no more than sixteen (16) boxes containing 1 mL vials or eight (8) boxes containing 5 mL vials.

(iii) Outer packaging: Portable, mechanical (-20 °C and -80 °C) freezers, containing not more than thirty (30) heat-sealed plastic bags must be packed in a freezer with capacity not more than 26 cubic feet.

(2) All freezers must be constructed of double-walled steel and have insulation between the freezer walls.

- (3) Boxes must be tightly secured within the freezer to prevent the contents from shifting.
- (4) All freezer doors and lids must be secured with safety latches and straps to prevent opening during transportation.
- (5) The infectious substances and biological substances in the freezers must be kept frozen at all times within the operating temperature range of -30 °C to -80 °C via the compressor-driven freezer system.
- (6) All portable freezers must be secured against movement in the transport vehicle.

b. OPERATIONAL CONTROLS:

- (1) This special permit authorizes the transport of packages containing infectious substances and biological substances during the relocation of research facilities, and laboratories of universities, healthcare facilities and pharmaceutical companies.
- (2) A back-up freezer system of liquid nitrogen or dry ice, sufficient to keep the infectious substances and biological substances within the operating temperature range of -30°C to -80°C for at least twice the estimated travel time, must be carried onboard the transport vehicle.
- (3) Not more than one transport vehicle may be operated at all times.
- (4) Not more than eight (8) freezers may be in a transport vehicle.
- (5) A back-up generator must be carried on board the transport vehicle.
- (6) An itemized list of contents must be securely attached to the outside of each freezer.
- (7) Emergency refrigeration and equipment necessary to mitigate a spill must accompany each transport vehicle.
- (8) The packaging, loading and transportation of the infectious substances and biological substance must only be performed by trained employees in dedicated, specially equipped transport vehicles operated by K&M Transportation Services, LLC.
- (9) Spill response procedures must be in place to address loss of refrigeration, delay in transport, and release of infectious substances.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

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

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.

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 Material Safety Administration, U.S. Department of Transportation, East Building PHH-13, 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: KH