

February 13, 2008



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 14648

EXPIRATION DATE: July 31, 2008

1. GRANTEE: Pacific Bio-Material Management, Inc.
dba Pacific Scientific Transport
Fresno, CA
2. PURPOSE AND LIMITATION:
 - a. This emergency special permit authorizes the transportation in commerce of certain infectious substances in specially designed packaging (freezers). This special permit provides no relief from the hazardous materials regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with 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(b); 173.196(e)(2)(ii), in that alternative packaging is not authorized, except as specified herein.
5. BASIS: This emergency special permit is based on the application of Pacific Bio-Material Management, Inc. dba Pacific Scientific Transport dated February 11, 2008, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

February 13, 20086. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Infectious substances, affecting animals only	6.2	UN2900	N/A
Infectious substances, affecting humans	6.2	UN2814	N/A
Diagnostic Specimens	6.2	UN3373	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Materials, as listed in paragraph 6, that are transported in freezers must conform to the following provisions:

(1) Materials must be packed in primary watertight receptacles (e.g., 2 ml or 8 ml vials). Receptacles must be secured in individual cells of stainless steel boxes. Boxes must be secured in stainless steel racks. A rack holds from 10 to 13 boxes. The outer packaging must be a large capacity, commercial grade, double-walled, stainless steel, liquid nitrogen-cooled freezer (either a MVE Model 1830HE freezer or a Taylor Wharton Model LABS 80K freezer). Racks must be secured in sectors of the freezer to prevent tipping or shifting of the racks. Sufficient absorbent material must be placed in the freezer to absorb the entire contents of all primary receptacles in case of breakage or leakage. The freezer may contain approximately 40,000 2 ml vials or 15,000 8 ml vials, and approximately 100 liters of liquid nitrogen.

(2) Each freezer lid must be securely closed to prevent opening during transport.

(3) Materials in each freezer must be kept frozen at all times within the operating temperature range of -130 °C to - 200 °C using liquid nitrogen.

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b. OPERATIONAL CONTROLS - This special permit authorizes the transport of packages containing infectious substances using a specialized dedicated transport vehicle, subject to the following provisions:

(1) Packages must be prepared, transported, and unpacked by Pacific Bio-Material Management, Inc.

(2) Not more than one transport vehicle may be operated at all times.

(3) Not more than eight (8) freezers may be in a transport vehicle.

(4) All freezers must be secured against movement in the transport vehicle.

(5) An itemized list must be secured to the outside of each freezer.

(5) Emergency refrigeration (e.g., mechanical refrigeration, liquid nitrogen) and spill response equipment and procedures must be in place and operational to address loss of refrigeration, delay in transportation or release of an infectious substance.

(6) Transport shall be from 1145 Atlantic Avenue, Alameda, CA 94501 to 4665 Willow Road, Pleasanton, CA 94588, a distance of approximately 26.5 miles.

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 modifications or changes are made to the package or its contents 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.

c. MARKING - Each freezer must be marked "DOT-SP 14648" as provided by § 172.302(c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor Vehicle.

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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

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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 Theodore L. Willke
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: LAVALLE