



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

MAR 20 2007

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

Mr. Dave Middleton
75 Garden Drive
Montgomery, IL 60538

Reference No. 07-0016

Dear Mr. Middleton:

This is in response to your January 12, 2007 letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if the regulations for Division 6.2 (infectious substance) materials apply to the transportation of blood and/or other body fluids and materials collected for disposal at various crime scene or unattended death clean-up operations. You state these materials may or may not have come from persons infected with various diseases.

The HMR define a Division 6.2 material under § 173.134 as a material known to contain or suspected of containing a pathogen. In accordance with § 173.22, it is the shipper's responsibility to properly class and describe a hazardous material. This office does not perform that function. A shipper must classify the waste generated from a crime scene as a Division 6.2 material if he or she knows or suspects it contains a Category A or Category B pathogen, as defined in § 173.134(a)(1)(i) and (a)(1)(ii). Category A infectious substance pathogenic material is in a form that is capable of causing permanent disability or life-threatening or fatal disease in otherwise healthy humans or animals when exposure to it occurs. Category B infectious substance pathogenic material includes all other infectious substances that do not meet the Category A definition. A material that is not known or suspected to contain an infectious substance and does not meet the definition of another hazardous material is not regulated under the HMR.

I hope this information is helpful.

Sincerely,

Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards



070016

173.22
173.134

Edmonson
§ 173.134

Infectious Substances
07-0016

Dave Middleton
75 Garden Dr
Montgomery, IL 60538
January 12, 2007

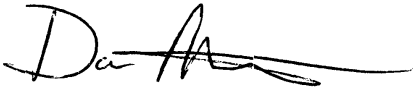
**U.S. Department of Transportation
Pipeline and Hazardous Materials Safety
Administration**

**400 Seventh Street, SW
Room 8410
Washington, DC 20590**

Dear U.S. DOT:

I am writing to ask you for clarification of HMR; 49 CFR Parts 171-180. Specifically does transporting the byproduct of cleaning up after a crime scene, homicide, suicide or unattended death i.e. bloody carpet, bloody towels, rags, sometimes small pieces of skull, or brain matter fall under any DOT guidelines in 173.134 Division 6.2 (infectious substance) or in 173.2. In most (if not all) cases it is not known if the deceased was infected with anything infectious. My understanding of this HMR is that this type of transportation does not require any special permits, DOT numbers or labels. Is that correct? I am starting a new company for this service and I want to be certain I comply with OSHA, DOT and EPA standards. Please respond by mail to the above address for my files. Thank You for your help in this matter.

Sincerely,



Dave Middleton