NOV 7 1997

U.S. Department of Transportation
Research and Special Programs Administration

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

DOT-E 11871
(FIRST REVISION)

EXPIRATION DATE: October 31, 1999

1. GRANTEE: Biotech Research Laboratories
Rockville, Maryland

2. PURPOSE AND LIMITATION: This exemption authorizes the one-time transportation in commerce of certain infectious substances in specially designed packaging configuration, transported by a contract carrier. This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.196.

5. BASIS: This exemption is based on the application of Biotech Research Laboratories (BTRL), dated September 24, 1997, submitted in accordance with 49 CFR 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Infectious substances, affecting humans	6.2	UN2814	(n/a)
Infectious substances, affecting animals *only*	6.2	UN2900	(n/a)

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Materials listed in paragraph 6 must be kept frozen and packed in packagings that consist of the following: (1) watertight cryovials as the primary receptacles; (2) boxes that are filled and racked as the secondary packaging; and, (3) a freezer of adequate strength for its capacity, mass and intended use as the outer packaging. The outer packaging must contain the following: (1) sufficient coolant to keep the materials frozen at all times; and (2) sufficient absorbent material to absorb the entire contents of all primary receptacles.

b. OPERATIONAL CONTROLS - This exemption authorizes only the one-time transport of packages containing infectious substances from BTRL's old facilities in Rockville, Maryland to their new facility in Gaithersburg, Maryland. Packages must be prepared by BTRL employees, transported by contract carrier under BTRL supervision, and unpacked by BTRL employees, as outlined in the application for exemption. Materials must be frozen and remain frozen at all times. Emergency refrigeration procedures must be in place and operational in the event of loss of refrigeration.

8. SPECIAL PROVISIONS: None as a requirement of this exemption.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

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

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

Each "hazmat employee", as defined in 49 CFR 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by 49 CFR 172.700 through 172.704.

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

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

Ann Mazzella NOV 7 1997

for Alan I. Roberts (DATE)
Associate Administrator
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590-0001. Attention: DHM-31.

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U.S. Department
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**Research and
Special Programs
Administration**

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

JAN 9 1998

DOT-E 11872

EXPIRATION DATE: November 30, 1999

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: Polymet Alloys, Inc.
Saginaw, Alabama

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of a water reactive solid, n.o.s. (Calcium barium silicide) in UN 13H3 Flexible Intermediate Bulk Containers (FIBC's). This exemption provides no relief from any regulation other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Part 172.101, Table, Column 8 and 49 CFR 172.102 Special Provisions, B105 and B106 in that FIBC's are not authorized.

5. BASIS: This exemption is based on the application of Polymet Alloys, Inc. dated April 15, 1997, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Water Reactive Solid, n.o.s. (Calcium Barium Silicide)	4.3	UN 2813	III

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packages prescribed are UN 13H3 FIBC's.

b. OPERATIONAL CONTROLS - The FIBC's must be protected from contact with water at all times and transported inside a closed freight container.

8. SPECIAL PROVISIONS:

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

c. MARKING - Each FIBC must be marked "DOT-E 11872" in accordance with 49 CFR 172.302(c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.

10. MODAL REQUIREMENTS:

a. A copy of this exemption must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this exemption.

b. This exemption serves as a Competent Authority Approval (CA-9712010) by the Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration (RSPA), of the United States Department of Transportation, issued in accordance with Paragraph 10.3 of the General Introduction to the International Maritime Dangerous Goods (IMDG) Code.

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

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

- Registration required by 49 CFR 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in 49 CFR 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by 49 CFR 172.700 through 172.704.

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

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

JAN 9 1998

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

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