U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUL 1 2003

DOT-E 12762
(FIRST REVISION)

EXPIRATION DATE: May 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Wellstat Biologics Corporation
Gaithersburg, Maryland
(Former grantee: Pro-Virus, Inc.)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain flammable and corrosive materials in UN certified combination packages, not subject to shipping paper requirements. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.200-205 in that shipping papers are not required.

5. BASIS: This exemption is based on the application of Wellstat Biologics Corporation dated June 2, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Ethanol *or* Ethyl alcohol *or* Ethanol solutions *or* Ethyl alcohol solutions	3	UN1170	II
Sodium hydroxide solution	8	UN1824	III
Hydrochloric acid	8	UN1789	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a combination package certified as a minimum to UN4G/Y32/S with a single inner polyethylene bottle with a capacity of not more than 20 liters.

b. OPERATIONAL CONTROLS -

(1) Shipments are only authorized between Wellstat Biologics Corporation facilities at 930 Clopper Road and 45 West Watkins Mill Road, both in Gaithersburg, MD.

(2) Shipment must be made using a motor vehicle operated by Wellstat Biologics Corporation.

(3) Loading, unloading, and operation of the vehicle must be performed by trained personnel from Wellstat Biologics Corporation.

(4) Each shipment must contain less than 1,000 lbs of hazardous materials.

8. SPECIAL PROVISIONS: A current copy of this exemption 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 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. 5101 et seq:

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

    - Registration required by § 107.601 et seq., when applicable.

    Each "Hazmat employee", as defined in § 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 §§ 172.700 through 172.704.

    No person may use or apply this exemption, including display of its number, when this 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. (Sections 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 in Washington, D.C.:

Robert A. McGuire
for Associate Administrator for
Hazardous Materials Safety

JUL 1 2003
(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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: DBurger/sln