U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 10176 (EXTENSION)
THIRD REVISION October 7, 1991

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10176 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to September 30, 1994. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.105. This extension constitutes a necessary part of this exemption and must be attached to it.

MAY 12 1993
(DATE)

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

Dist: FHWA FRA USCG

EXEMPTION HOLDER	APPLICATION DATE
Eveready Battery Company, Inc. Westlake, OH	March 19, 1993

Batteries, each of which is individually wrapped in an insulating label, may also be packed in trays which are nested, palletized, covered, wrapped with plastic film and banded to the pallet.

c. Packages must be marked as prescribed in Subpart D of 49 CFR Part 172. Packages must be labeled with the Class 9, MISCELLANEOUS label shown in 49 CFR 172.446 or in Fig. 4-20 of ICAO Technical Instructions. In place of such marks and labels, packages placed on pallets as provided in paragraph 7.b. must be marked on at least 2 opposite sides of the pallet, as follows:

Lithium Batteries (solid cathode)
UN 3090

When so marked, a Class 9 MISCELLANEOUS label, as shown in 49 CFR 172.446 or in Fig. 4-20 of ICAO Technical Instructions, must be displayed near each marking.

d. Each battery must be equipped with an effective means of preventing external short circuits.

e. Each battery must include a vent, a fuse and an electrical current limiting device, unless otherwise approved by DOT, and must be capable of passing all of the tests identified on Page 1 of Exhibit I and in Exhibit J of the application for exemption dated March 30, 1989.

8. SPECIAL PROVISIONS.

a. Persons who receive batteries covered by this exemption may reoffer them for transportation in any of the packagings authorized in this exemption 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. A copy of this exemption must be carried aboard each motor vehicle, vessel and aircraft used to transport packages covered by this exemption.

c. For transportation by motor vehicle, the labeling requirements in paragraph 7.c. of this exemption do not apply to package(s) described in the first sentence of paragraph 7.a. and in paragraph 7.b. provided that the total gross weight of package(s) in one motor vehicle does not exceed 65 pounds.

d. This exemption also constitutes the approval of the appropriate authority of the United States for shipment of these batteries on cargo aircraft pursuant to State Variation US 25 of the International Civil Aviation Organization (ICAO) Technical Instructions.

e. The "FLIGHTS OF CARGO-AIRCRAFT ONLY" requirements of Appendix B to 49 CFR Part 107 do not apply to operations subject to this exemption.

9. REPORTING REQUIREMENTS: Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable.

10. EXPIRATION DATE. May 31, 1993.

Issued at Washington, D.C.

OCT 7 1991

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, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

Dist: USCG, FAA, FHWA, FRA.