



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

APR 29 1998

Mr. Chip Wildes
Environmental, Safety and
Recycle Manager
SAFT America Inc.
711 Industrial Blvd.
Valdosta, GA 31601

Dear Mr. Wildes:

This letter is a revision of previous opinions you received from us dated March 7, 1994 and April 10, 1995, regarding the classification of "lithium ion" batteries under the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180).

Based on additional information, we have determined that lithium ion cells and batteries must be classified in accordance with § 173.185. Section 173.185 regulates lithium ion cells and batteries based on the amount of lithium in the anodes of the fully charged cells and batteries.

If lithium ion cells and batteries meet the conditions for the exception provided in § 173.185(b), they are not subject to the HMR. If not excepted, the other provisions of § 173.185 apply.

I hope this information is helpful.

Sincerely,

Edward T. Mazzylo
Director, Office of Hazardous
Materials Standards



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400 Seventh Street S.W.
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APR 10 1995

Mr. Chip Wildes
Environmental, Safety and
Recycle Manager
SAFT America Inc.
711 Industrial Blvd.
Valdosta, GA 31601

Dear Mr. Wildes:

This is in response to your letter of March 21, 1995 regarding the correct classification of "lithium ion" batteries.

According to the information you provided, SAFT's lithium ion battery has lithium nickel oxide and carbon electrodes but contains no metallic lithium or lithium alloys.

It is the shipper's responsibility to properly classify a hazardous material. If a material does not meet any of the hazard class definitions contained in Part 173 of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180), the material would not be subject to the HMR. Based on the information provided, it is our determination that the above described battery is a dry battery because it does not contain any hazardous material. Dry batteries are not subject to the HMR.

I hope this information is helpful.

Sincerely,

Delmer F. Billings
Chief, Regulations Development
Office of Hazardous Materials Standards



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Washington, D C 20590

MAR 6 1995

Mr. Chip Wildes
Environmental, Safety and
Recycle Manager
SAFT America Inc.
711 Industrial Blvd,
Valdosta, GA 31601

Dear Mr. Wildes:

This is in response to your letter of February 6, 1995 regarding the correct classification of "lithium ion" batteries.

According to the information you provided, SAFT's lithium ion battery has a positive electrode of lithium cobaltate and a negative electrode of natural graphite. The electrolyte consists of ethylene carbonate, lithium hexafluorophosphate, diethyl carbonate and diethyl carbonate. However, there is no lithium metal present at any time.

Based on the information provided, it is our determination that the above described battery is a dry battery. Dry batteries are not subject to the Hazardous Materials Regulations (49 CFR Parts 171-180).

I hope this information is helpful.

Sincerely,

Delmer F. Billings
Chief, Regulations Development
Office of Hazardous Materials Standards

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