



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

MAR 18 2008

Mr. Frank H. Cassel
MaxPower, Inc.
141 Christopher Lane
Harleysville, PA 19438

Reference No. 08-0030

Dear Mr. Cassel:

This is in response to your January 22, 2007 letter concerning lithium ion rechargeable batteries. Specifically, you asked if the regulations of the U.S. Department of Transportation (DOT), including the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180), and those based on the United Nations Recommendations on the Transport of Dangerous Goods (UN Recommendations) require lithium batteries and cells to be transported at a specific state of charge.

The answer is no. No domestic or international transport regulation exists that requires lithium batteries and cells to be shipped at a specific state of charge.

I hope this satisfies your request.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Mitchell", with a long horizontal flourish extending to the right.

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

Edmonson
§ 175.10(a)(17)
Batteries
08-0030

MaxPower, Inc,
141 Christopher Lane
Harleysville, PA 19438
215-256-4575x109
maxpowerdc@aol.com
January 22, 2008

Office of Hazardous Materials Standards
Edward Mazzullo, Director
Pipeline and Hazardous Materials Safety Administration
PHH10
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Mr. Mazzullo,

I am writing to inquire about the regulations regarding lithium ion rechargeable batteries. Specifically, I would like to know if there are any DOT or UN regulations requiring that rechargeable lithium batteries or cells be shipped at a specific state of charge. Are there any regulations that address this issue, assuming the battery has been correctly packaged and qualified for shipping?

I look forward to your response.

Sincerely,



Frank H. Cassel