



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

MAR 26 2008

Mr. Greg Hardwick
ILS Manager – Aircraft
13350 US Highway 19 North
Clearwater, FL 33764

Ref. No.: 08-0052

Dear Mr. Hardwick:

This is in response to your letter dated February 26, 2008, concerning requirements in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to the transportation of navigation equipment containing two lithium-thionyl chloride (Li-SOCL₂) batteries. In your letter you reference existing letters of interpretation issued by this office (Ref. No.: 07-0055 and 07-0202) and ask for a final interpretation that clarifies whether you should continue shipping your navigation equipment as Class 9 material or begin shipping it as nonregulated. According to your letter, each Li-SOCL₂ battery contained in the navigation equipment has a lithium content of approximately 1.7 grams.

The letters of interpretation you reference are both accurate. We published a final rule entitled “Hazardous Materials; Transportation of Lithium Batteries” (HM-224C & HM-224E; 72 FR 44929) on August 9, 2007. The rule becomes effective on October 1, 2008, but voluntary compliance was authorized as of October 1, 2007. Therefore, you may use the “old” or “new” requirements until October 1, 2008. This overlap accounts for the apparent differences between the two letters. Letter no. 07-0055 discusses the requirements that are currently effective (old) and the requirements that will become effective on October 1, 2008 (new), while letter no. 07-0202 focuses solely on the requirements that are currently effective (old). Copies of the rulemaking and letters are enclosed for your convenience.

Since you are already transporting the navigational equipment as a Class 9 material, I suggest you align your shipping practices with the August 9, 2007 rulemaking in preparation for the October 1, 2008 effective date. Please refer to letter of interpretation no. 07-0055 for additional information on shipping your navigational equipment.

I hope this information is helpful. Please contact us if you require additional assistance.

Sincerely,

John A. Gale
Chief, Standards Development
Office of Hazardous Materials Standards

Supko
§ 173.185
Lithium Battery
08-0052

-----Original Message-----

From: PHMSA-Feedback [mailto:PHMSA-Feedback]
Sent: Tuesday, February 26, 2008 2:46 PM
To: HMIS <PHMSA>; PHMSA Web Initiative
Subject: Feedback: Hazardous Materials Regulations Question

Please reference Hazardous Material Interpretations ID# 07-0202 and 07-0055.

As the Honeywell authority for transportation of Lithium batteries here at our Clearwater, FL facility, I would appreciate a final interpretation from your office regarding the transportation of Lithium batteries contained in Equipment. Honeywell provides navigation equipment to the military all over the world and delivers each item with two (2) medium ?C? size Primary Lithium Thionyl-Chloride batteries, each with 1.7g Li contained in the equipment.

Further battery facts and transportation details are as follows:

- ? The batteries are shipped as contained in the equipment and contain the necessary number of batteries only to power the equipment
- ? The battery and the navigation equipment are designed with the appropriate safety features ? diode or?ing to prevent reverse current flow, safety vent, short circuit protection, etc.
- ? Each battery when fully charged contains < 2.0 grams Li
- ? The net weight of the batteries < 5kg
- ? The battery vendor reports this battery to meet the UN Manual of Tests and Criteria

As the competent DOT authority for transportation of Lithium batteries Honeywell would appreciate your ruling on the proper shipping method of the Lithium Battery Contained in equipment and if in fact they these batteries can be shipped UN-Regulated or if we should continue shipping each item as a Class 9 material.

Thank You,
Greg Hardwick
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ILS Manager - Aircraft
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